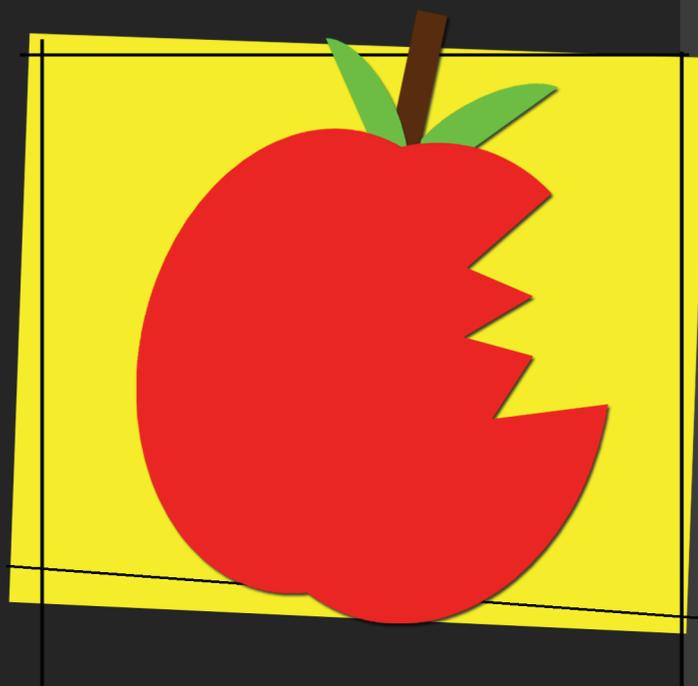
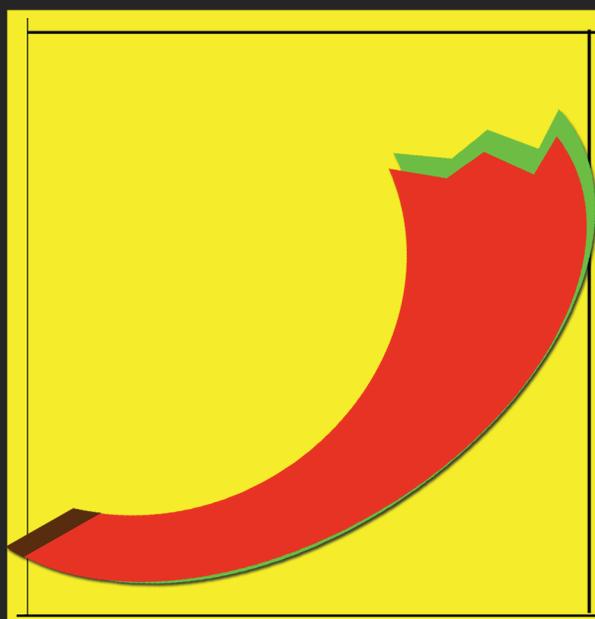
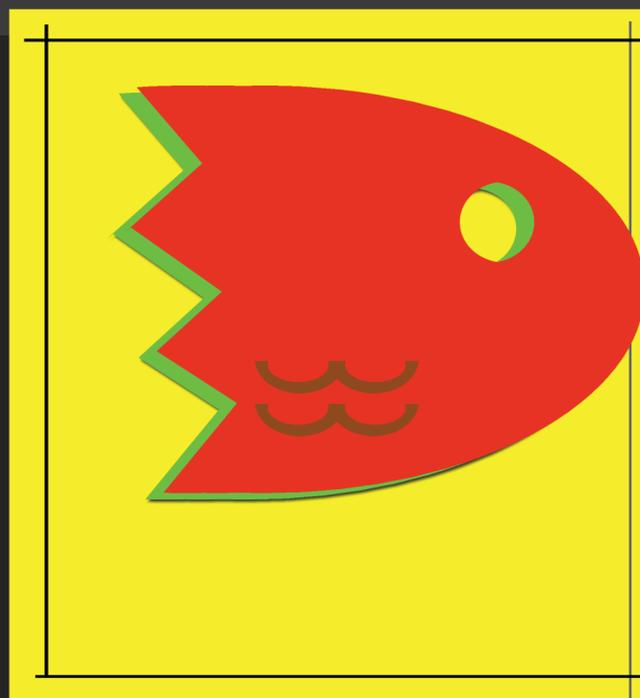
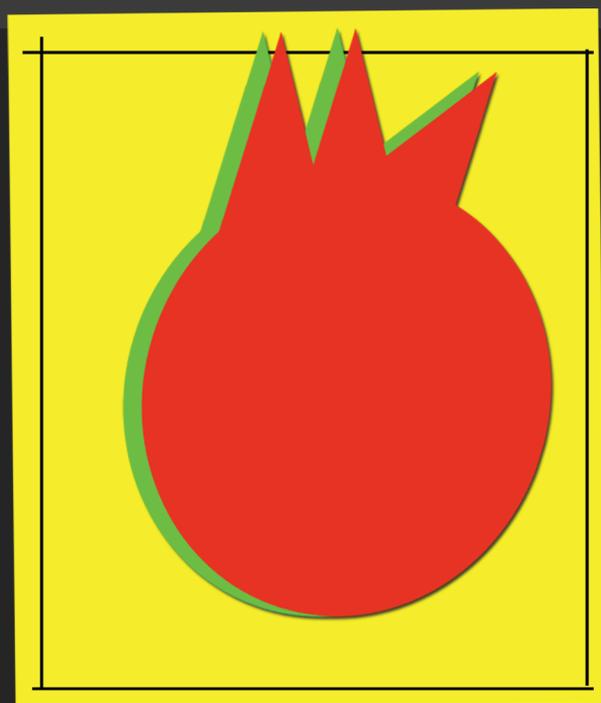
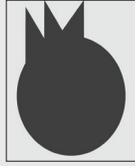


DEGEL

תורה וחכמת ישראל מקהילת עלי ציון
TORAH AND JEWISH STUDIES FROM ALEI TZION

תשרי תש"ע
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DEGEL

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Notes from the Editor

If *Degel* reflects the community that produces it, and if a hallmark of postmodernism is the acceptance of a multiplicity of views as valuable, then Alei Tzion may have misunderstood itself. We may not be a Modern Orthodox, but a Postmodern Orthodox kehilla.

Perhaps the most noticeably postmodern contribution to this issue is Ephry Eder's letter, which casts doubt on the singularity of truth, a concept that has long been a target for postmodernists. Simcha Handley's theological objections to Zionism may test the extent of our community's willingness to accept the presence of a plurality of views. I hope it is a test we shall pass.

Alei Tzion may have misunderstood itself. We may not be a Modern Orthodox, but a Postmodern Orthodox kehilla.

Adam Ross, MD Spitzer and Daniel Youngerwood have all written close studies of events in Tanakh, but in markedly different styles. Ross gives us a Midrashic-mystical reading of the story of Adam harishon, with strikingly modern psychological resonances. Spitzer's analysis of the test involved in the Akeida is drawn from the stream of traditional lamdanut. While coming to traditional conclusions, Youngerwood's search for the plain meaning of the accounts of the life of Shlomo hamelekh uses fresh approaches developed by contemporary Orthodox Biblical scholars.

Josh Samad discusses the basis for the Torah prohibition of eating a forbidden food, even in an amount smaller than the measure for which one is punished, the issue of hatsi shiur assur min hatorah. He finds room to cite both R. Yehezkel Landau of Prague (the author of *Noda Beyehuda* and *Tselah*) and his critic R Avraham David Wahrman (author of the *Ezer Mekudash*), who attacked R Landau for his opposition to Hasidism.

Alex Hamilton demonstrates the variety of attitudes to vegetarianism that can be held within Orthodoxy, and the nuances within each. Joseph Faith charts a sharp turn in mainstream attitudes towards Divine Providence in the eighteenth century, which seems to show that Orthodoxy is not a stranger to change.

A more contemporary, practical and controversial change is discussed by Rachel Stafler. The conferral of the title 'Maharat' on Sara Hurwitz after her completion of rabbinical training may be the start of a trend, or come to be seen as a failed experiment.

I cannot end these notes without thanking the team behind *Degel*, the authors, subeditors, sponsors and designer. In particular I must mention Tammy and Daniel Youngerwood. Daniel's articles have done much to establish *Degel's* high standards. When Tammy offered to design the publication I knew we would have a fabulous looking product. Together they made sure that *Degel* was a pleasure to read. I wish them every success as they make aliya, which I am sure will not mean the end of their association with this journal.

With best wishes for a shana tova.

— BEN ELTON

שנה טובה ומתוקה

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and Gidon Youngerwood

What happened to Adam after he left the Garden of Eden?

ADAM ROSS

Adam lived for 930 years, yet we know that he had been created, married Eve, feasted on the forbidden fruit and been exiled from the Garden of Eden all before sunset on his first day. This leaves us to account for at least 929 years of his life.¹

The Midrash, Zohar and sources later in Bereshit itself provide an indication of the kind of life that Adam lived after his fateful first day.

His life was punctuated by a set of trailblazing emotional, spiritual and psychological milestones that led him to separate from Eve and go into a personal exile that lasted 130 years before he returned to reconnect with humanity. Besides being able to advise us which fruit to avoid in the greengrocer's, Adam has some deep lessons for us in how to overcome our failings and live our lives. I hope here to highlight some of the aspects of Adam in all of us, and suggest some of the ways we can learn from him.

Leaving Eden

After his sin, Adam the conqueror and explorer became Adam the meek, sorrowful and isolated. The man who named all of the animals² and who confused the angels with his holiness and great stature, curled up to hide in the garden embarrassed, naked and ashamed.³

The Midrash Tanhuma states that when Adam sinned he lost four things: The glow of his face, his immortality, his extraordinary height and, having been harangued out of the Garden of Eden, he also lost his home.⁴

Each of these losses has its own significance, but together they caused him unbearable sadness. Adam who had known the highest highs of paradise and now the lowest

lows of losing that paradise, was filled with enormous feelings of guilt.

The Midrash Rabba tells us that when Adam saw the sun go down at the end of the sixth day, he thought that he was to blame and that his actions had darkened the world forever.

The Midrash continues that when the sun rose again the following morning, Adam felt great relief. The Psalm for Shabbat is attributed to Adam, with the verse *לְהַגִּיד בְּבֹקֶר חַסְדְּךָ*, 'proclaim God's kindness in the morning' representing his relief that he had not caused the world to fall into eternal darkness.

Despite this relief, Adam's response to the sun setting indicates how a person can start to see the whole world through a prism of their own feelings of regret and guilt.

Adam who had known the highest highs of paradise and now the lowest lows of losing that paradise, was filled with enormous feelings of guilt.

Falling from a great height

In order to understand the loss Adam had to come to terms with after leaving Eden, it is important to understand what he had while he was there. What was the fall he took so badly?



Adam and Eve banished from the Garden of Eden

The Torah teaches that God instructed **נַעֲשֶׂה אָדָם בְּצַלְמֵנוּ כְּדְמוּתֵנוּ** 'Let Us make man in our image and in our likeness.' On the question of who God was talking to here, Rashi states that he consulted the angels before making man, however there are many other explanations as well.⁵

Ramban suggests that the word **כְּדְמוּתֵנוּ** finds its source in the words 'dmu', likeness, and 'dimyon', imagination. He suggests that man is defined by his power of broad imagination.⁶

Rav Mordechai Elon takes the idea forward, explaining that Adam was made to be similar to everything that had been created before him, both animate and inanimate. Therefore man has always had the spiritual potential to be as lifeless as a rock or as elevated and holy as an angel.⁷

The Zohar states that the **ש** (shin), **מ** (mem) and **ע** (ayin) of the shema represent the call 'simu maalah eynaim', 'place your eyes higher.' A person is required to make use of his powers of imagination and the very highest aspects of his consciousness when contemplating God. Rather than thinking, imagination comes from raising the threshold of possibility within the mind, and when Adam lived in the Garden, he lived entirely within this higher realm of consciousness.

On his first day, Adam spoke to and listened to God, and the heavenly aspect of his mind was bathed in the

goodness, completeness and uprightness of spiritual paradise. His face glowed with his wondrous proximity to the source of all blessing.

After sinning, Adam could not re enter this higher zone of consciousness.⁸ Just as walking on a broken limb will cause intolerable pain, so too focussing a bruised mind, is equally unbearable. In sinning, Adam badly damaged the higher realm of his consciousness. It was sensitive and unusable and became a place in his mind that he could no longer visit.

Leaving Eve

Our ability to give of ourselves to others around us is determined by how much emotional energy we have to expend at any given time. For Adam the enormity of what happened in the Garden of Eden was too much, and he banished himself into isolation, leaving his family behind.

The Midrash Rabba explains that Adam blamed his wife for persuading him to sin, even regretted naming her Isha since this name was closely associated with his own name Ish.⁹ He renamed her Hava meaning 'to speak' and began to see her only in the context of how she had aided his downfall.¹⁰

One of the four reasons listed by the Midrash Rabba for Cain and Abel's fatal dispute was the question of who would inherit the earth, as both brothers assumed that their father had permanently separated from Eve. We can infer here that Adam did not tell his family where he was going to and if or when he would return.

Outside the Garden Walls

The Zohar tells us that 'on the day he sinned, Adam immersed himself in the Gihon River, standing with the water up to his neck. He remained there and fasted for seven weeks, until his skin became like silk. All this time, he would weep and pray to God, asking Him to forgive his sin.'¹¹

Adam was desperate to set right his mistake. He did not know any other kind of home or any other way of living than that which he had experienced in the Garden of Eden. The natural behaviour of any person is to try to reclaim that which is lost, to return and plead for a second chance.

On the day he sinned, Adam immersed himself in the Gihon River, standing with the water up to his neck. He remained there and fasted for seven weeks, until his skin became like silk. All this time, he would weep and pray to God, asking Him to forgive his sin.

God placed guards at the entrance to the Garden to prevent him re-entering. However, if he had wanted to return, could he not have found a way to do so? Surely he could have burrowed, climbed or jumped over to return.

So, what was it that prevented Adam from breaking in to the garden, from finding a way through?

Trespassing in the Garden of Eden

In Hilkhot Teshuva, Rambam writes that one who commits an avera and approaches God without doing tshuva will feel like a trespasser. The purity that Adam once knew meant that he could not cope with the feeling that God did not want him to enter the Garden. Like the Garden in his mind, the physical Garden was no longer a place where Adam could live. So with all things spiritual being off limits to him, where was he to go?

What can a Jew do if he develops a resistance to the very source of spirituality that he needs for his recovery?

The Baal Shem Tov addresses such a phenomenon, when a young depressed Hassid cried to him that he felt God was pushing him away. The Baal Shem Tov answered that God operates with man using His right and left hands. He says that He draws man close with His right hand but keeps him away with His left. The Hassid cried: 'I feel God is so far away from me.' The Baal Shem Tov replied: 'If He is pushing you away, is God not also touching you?'¹²

Adam who had no rebbe to visit or for that matter anyone who had walked the path of human error before him, had to come to these conclusions himself.

From despair to practicality

After spending seven weeks at the brink of death Adam finally left the Gihon River. The Zohar continues: 'Adam grew worried that once dead, he would be treated as a god and his body and grave would become a point of pilgrimage and worship. Nervous of this, he left the river and dug himself a deep grave into the lower part of a deep cave.' This was the cave of Makhpela that would become the resting place of the ancestors of the Jewish people.

Adam's decision to leave the river shows the transition from depression and regret to practicality. This kind of forward thinking was not possible during the immediacy of his sinning, and shows that a man cannot dwell on his problems for too long. Eventually he will find actions to substitute his thinking.

Although this sounds positive, we should keep in mind that Adam left the river to plan his own funeral. The Zohar is telling us that death had been on his mind for the past seven weeks. However it is also teaching us that a man has a duty to prevent himself from drowning in his own sorrow. Sometimes the only way to break the cycle of negative thought is through positive action.

A man has a duty to live his life, and Adam found a pretext to escape the claws of death.

The birth of hope

Bereshit Rabba relates that Adam met his son Cain some time after he killed his brother.¹³ He enquired: 'How were you judged by the heavenly tribunal?' Cain replied, 'I repented and my punishment was lightened.'¹⁴ Adam began beating his face, crying, 'So great is the power of repentance, and I did not know!' Immediately, he composed the psalm for Shabbat which contains the verse **טוֹב, לְהִדּוֹת לַיהוָה**; 'It is good to confess to God.'

Why was this conversation with Cain such a revelation for Adam?

He had been convinced that his crime was too serious to be forgiven. He could not forgive himself, so how could anybody else? In his eyes, there was no going back, and there could be no atonement.

Sometimes we get ourselves so tangled up that we truly believe that our lives have become too complicated to be resolved.

It is a common ruse of the yetser hara to conjure all kinds of images and logics to keep a man from repenting.¹⁵ Sometimes we get ourselves so tangled up that we truly believe that our lives have become too complicated to be resolved.

The Torah has two responses. The first is Yom Kippur, in which God plunges all of us into a divine mikveh and asks us to splash about a bit. This is a once a year trick that helps us to begin the new year a little cleaner.

The second response which is not time bound, is to find a starting point and begin a process of teshuva. Undoing one knot will lead to another knot and another and another, and eventually a person will begin to feel at peace, but in order to begin this process, first a person must believe and internalise the message that his sin is forgivable; this is an important part of emuna.

A story is told of a yeshiva student who travelled to see a rabbi to ask how he could ever do teshuva when he felt too ashamed to show his face to God in prayer. The rabbi listened to the student thoughtfully and replied immediately: 'Look in tehillim, and know that King David was forgiven for sins far greater than yours.' The student left relieved and began the process of teshuva.

Adam's meeting with Cain was the world's first example of group therapy, and he found the comfort and inspiration to approach God to ask for forgiveness.

As Rav Amos Luban once taught: 'God can bring us out of Egypt, but we have to let ourselves go out as well.'¹⁶

Mending a broken pipe

Rav Kook speaks of a pipe that connects each man to the heavens. He explains the aim of life is to develop a two way flow in this pipe allowing for prayer to rise up and ideas of Torah to flow down. When the pipe is working to its maximum capacity, Divine inspiration and ultimately

prophecy are born.¹⁷ However, when a man sins says Rav Kook, he clogs up this pipe making this two way flow more difficult.¹⁸

He continues to describe a man whose pipe is so blocked that he can't even muster a single prayer and asks if such a man is without hope.¹⁹ He answers that a man whose pipe is completely blocked need simply hope one day to have the desire to be able to pray. There is no such thing as being so low that there is no way back.²⁰

The voice of the yetser tov that had once pleaded with Adam not to eat the fruit of the tree of knowledge of good and evil grew faint when he overruled it. Adam now began to search for it again with renewed hope, but his journey would be long and difficult.

On making the decision to attempt a spiritual recovery, Adam had to heal the damage he had caused himself.

One small step for Man

The Torah teaches the way to achieve great strides is to take many small steps. Rabbi Nahman of Braslav asks why God only instructed Moses to plead with Pharaoh to let his people out of Egypt to serve him for three days in the desert. Did he not intend for the people to leave Egypt for good?

He answers that God knew the Jewish people did not have enough self belief to think that they could live outside Egypt permanently but they would be able to deal with a three day excursion. By accepting three days, they would develop the confidence to believe that greater things were possible.²¹

To ask a newly married man how he will support his five children is not reasonable, but to ask him how he can support his wife will set him on the journey that will one day see him support a larger family. If any of us looked at the size of the challenge to achieve a great goal we would be intimidated, it is only by focusing on the smaller manageable steps that we enable ourselves to achieve our potential.²²

Mending a broken mind

On making the decision to attempt a spiritual recovery, Adam had to heal the damage he had caused himself, particularly to his mind. His initial wisdom had been drowned by the box of emotions, lusts and urges that had been unleashed when he sinned.

The Midrash Rabba explains that before he sinned, Adam only desired Eve when she was before him. However, after the sin he desired her at all times whether he could see her or not. Adam would now have to exert significant extra energy to control this sexual desire to allow his intellectual power to re-emerge.

In Hilkhot Deot, the Rambam writes: ‘Those who are morally ill, desire and love bad traits.’ He quotes Isaiah ‘Woe to those who call the bad good, and the good bad, who take bitter to be sweet and sweet to be bitter.’²³ He says that just as a person can develop a physical ailment, so too they can develop a spiritual ailment. Rambam advises people who experience spiritual ailment to visit a rabbi to seek guidance to be brought back on track through a careful manipulation of their personality traits.²⁴

Adam had no rabbi to consult. It is in overcoming this spiritual ailment that Adam spent most of his years in the wilderness. His journey was one of inner work, of setting goals, reclaiming independence and creating a situation whereby he could allow the holy voice of his soul to strengthen and re-engage the world. To achieve this would also require him to keep his evil inclination at bay.

Fighting back with burning coals

At times a person must employ clever tactics to maintain his spiritual balance even to the extent that he should trick his negative inclination to keep it at bay.²⁵

Imagine a man who would sit and look at his books, everyday. Every time he picked up a book or thought a holy thought, a powerful force would cause him a deep sense of malaise in his heart. Understanding that his animal soul had become too strong for him to conquer it with normal measures, he decided to make use of a ruse.

He fasted for a day and then prepared a glutinous meal to feed his burning appetite. As he began to eat and feed his hunger, at the moment when his animal soul was most

absorbed, he shot out his hand to open one of his books and read a short line and succeeded in feeding his spiritual soul.

This man continued this process, each time finding he could read a little longer. Soon he found other ways to strengthen himself as well.

Adam too found ways to understand and wage a long war with the animalistic forces inside him. The great kabbalistic secrets he had once learned in the Garden of Eden were too much for him and so he returned to the most basic knowledge, returning to aleph, and then to bet and then on to the basic rules of halakha.

This message is described beautifully by the Baal Shem Tov who comforts a man who says he no longer feels the same excitement for Torah learning as he used to. The Baal Shem tov tells him, ‘at first Torah knowledge is like fiery flames, however, they grow to become red hot burning coals.’ He continues, ‘although the coals do not seem as exciting as the flames, you can cook on them, and the Torah is a practical guide for living.’²⁶

Adam embraced the hot coals of halakha and grew into a wise judge. This is demonstrated profoundly in the episode which details Adam’s reunion with Eve.

Returning to Eve

The Midrash Rabba and Tanhuma explain the remarkable turn of events that leads Adam to return to Eve.²⁷

Lemekh, Cain’s great great grandson was blind and therefore accustomed himself to go hunting for animals with the help of his young son Tuval Cain whom he would carry in his arms. On one occasion Tuval Cain spotted what he thought was a deer in the long grass and aimed his father’s bow and arrow at the creature. Unknowingly, he shot and killed his ancestor Cain who had been wandering as a nomad since he had killed his brother Abel generations earlier.

Lemekh was reportedly a very large man with huge hands. When Tuval Cain told his father that he had killed Cain, he clapped his hands together in great despair and killed his young son in the process.

With great tragedy, Lemekh sat with these two corpses

Adam embraced the hot coals of halakha and grew into a wise judge.

crying in anguish until his two wives Ada and Zila came out to the field to find him. On hearing what had happened they wanted to separate from him fearing God's decree that the person who killed Cain would be cursed for seven generations.²⁸ When Lemekh sought consolation from his wives they refused to allow him to touch them and their conflict led him to seek judgement from the oldest and wisest of all men.

They searched out Adam and found him in his self imposed exile and asked him to judge their case. Adam heard their case and ruled that Lemekh's wives had no right to separate from him. He told them, 'if God has decreed a curse, it is not for man to try to affect that; you have responsibilities in marriage independent of God's decree.'

Lemekh's two wives replied to Adam, 'You have separated from your wife for 130 years, sort your own house out first.' At this rebuke, Adam returned to Eve and they bore Seth.

Adam, halakhic man

When Lemekh's wives remind Adam of his halakhic obligations to Eve he immediately returned to her.

Rav Dessler states that in his sin in the Garden of Eden, Adam had willingly embraced the evil inclination with a view to defeating it and serving God on a higher plain.²⁹ However, hidden inside his desire to please God was a latent ability to disobey him. When he overrode God's single prohibition, Adam exhibited recklessness in the guise of dedication.

Before sinning Adam had not known the purpose of the negative commandments, for he saw no purpose in them. Now all these years later, Adam had been humbled. His relationship with God was no longer on his terms, and he appreciated the importance of rules and God's role in his fortitude.

Having learned the need for God's limits and restrictions

on mankind, he began to appreciate halakha with great affection, as halakhic restrictions would be the mechanics which would prevent a future fall.

Adam had realised that by sinning he had slammed into God's strong left hand. On his journey since leaving Eden he had grown to see the importance of that, and when confronted with a challenge to his own halakhic integrity, he submitted to the Law and immediately returned to Eve.

The birth of Seth

After a 130 year break, Adam and Eve conceived Seth. He is the only character in the Torah who was named by both his father and mother. First we read: 'And Adam knew his wife again; and she bore a son, and called his name Seth: "for God hath appointed me another seed"', and four pasukim later, we read: 'And Adam lived a hundred and thirty years, and begot a son in his own likeness, after his image; and called his name Seth.'³⁰

The birth of Seth was a moment of equal worth for both Adam and Eve. They are both grateful for a second chance at raising a family and helping to fulfil God's plans for the world. This also gives some indication that Eve engaged in a similar journey of teshuva as Adam.

The birth of Seth represents years of hard work and self-sacrifice for Adam to re-invent himself and recover from his initial fall. The message is one of great hope and of the courage that is needed to overcome adversity.

The Baal Shem Tov describes a process by which God allows man to taste his full spiritual potential by holding him upright and supporting him. He then lets go and watches him slump to the ground. God takes a step back and beckons him forward to his feet. This pattern is one which continues until man is able to stand on his own two

The birth of Seth was a moment of equal worth for both Adam and Eve. They are both grateful for a second chance at raising a family and helping to fulfil God's plans for the world.

feet and truly realise his own potential.³¹

Man in his youth feels betrayed and bruised from his falls, but if he is courageous enough to strive forward and overcome the obstacles in his way, he will achieve the great heights he once remembered, but this time he will have truly earned them.

This is the message in the final verse of Psalm 27 אֲנִי אֶלֶּה, אֲנִי אֶלֶּה, which we say from Rosh Hodesh Elul through to Shemini Atseret.

Verse 14 reads:

קִנְיָה, אֶלֶּה ה': חֲזַק, וַיִּצְמַח לְבָבְךָ; וְקִנְיָה, אֶלֶּה ה'.
There are four stages outlined here for man. Firstly, 'קִנְיָה, אֶלֶּה ה'' 'have faith in God'. Secondly, 'חֲזַק', 'be strong'; this is the command to man to be strong, or in other words to make the first move. Thirdly, 'וַיִּצְמַח לְבָבְךָ', 'He will give courage to your heart'; this initial strength born out of faith, will be rewarded and God will give a person the courage he needs to continue his journey. Finally, the process begins again, 'וְקִנְיָה אֶלֶּה ה'', and man continues to move forward appreciating that God is with him and is encouraging him to take steps forward.

As for Adam, some say he achieved full repentance which is the reason for his longevity, but most say that his mortality is testament to his incomplete teshuva.³² There also those who suggest that God prevented Adam from achieving a full repentance. A happy medium can be found in the Midrash which states that Adam gave 70 of his 1000 years to King David who was destined to die as a newborn.³³ It is said of King David that he did not sin and thus, as Adam's extension, completed Adam's teshuva.

We all reflect on missed opportunities, arguments and difficult episodes in our lives and wonder what went wrong and how we let this or that happen. Adam's depth of experience in and outside the Garden of Eden, shows us how easy it is to throw it all away but also how to pick up the pieces, find a way to continue and embrace life. If he had not found the strength to do this, we would have no Seth, no Noah, no Abraham, Isaac or Jacob.³⁴

Adam Ross is from Reading. He currently works as a press officer for the University for the Creative Arts. He learned in Yeshivat Hakotel, Yeshivat Hamivtar and Yeshivat Darche Noam.

1. Bereshit, 5:5
2. Bereshit 2:20, 'Adam gave names to all cattle, and to the fowl of the air, and to every beast of the field.'
3. Bava Batra 58a, Adam's heels alone are described as being like two suns and he reached the sky. See Bereshit 3:9.
4. Bereshit, 3:24, 'So he drove out the man.'
5. Rashi on Bereshit 1:26, "This shows the humility of the Holy One, Blessed is He, we learn from here, since man is in the likeness of the angels, and they would be jealous of him, for this reason he consulted them..."
6. Ramban, Bereshit 1:26
7. Rav Elon, Teheilet Mordehai. Shiur given to Yeshurun Synagogue and Bar Ilan University, can be heard at Keren Yishai, Parshat Bereshit, 5765, www.elon.org/archives/Bereshit.
8. Into the vacuum entered a 'foreignness' that caused a barrier between man and God for him and future generations. The world had changed.- יוֹם לְיוֹם, נִבְיַע אִמְרֵי; וְלַיְלָה לְלַיְלָה, חִנְיָה-דְּעַת 19:3 Tehillim. God called to man and said to him, 'where are you?' The word 'eikha' reverberates throughout Jewish suffering as in the 'eikha' of Jeremiah and Tisha B'Av.
9. Abarbanel, quoted in R. Aryeh Kaplin's Torah anthology
10. יוֹם לְיוֹם, נִבְיַע אִמְרֵי; וְלַיְלָה לְלַיְלָה, חִנְיָה-דְּעַת 19:3 Tehillim. 'Day unto day utters speech, and night unto night reveals knowledge';
שְׁמַעוּ שְׁמוּעָה, מִלְּפִי; וְנִאֲחָזְתִּי, בְּאָזְנוֹיְכֶם Iyov 13:17
'Hear diligently my speech, and let my declaration be in your ears.'
The Torah also explains the name Hava as meaning 'mother of all life'.
11. Zohar 1.65
12. As heard from R. Feivel Shuster, Mashgiach of Yeshivat Darche Noam
13. Midrash Rabba on Bereshit 22:13
14. After decreeing that Cain should wander the earth, Cain prayed for mercy because he would always fear for his life. God was gracious and decreed that the person who killed Cain would be cursed for seven generations.
15. Heard from Reb Avrohom Feingold, a leading Hassid of Ger in London.
16. Heard from Rav Amos Luban, in a shiur given at Yeshivat Darche Noam, Feb, 2009.
17. Indeed the Talmud relates that Adam received prophecy and that God showed him every future generation with its Sages and leaders.
18. Heard by R. Naftali Weiss, Yeshivat Hesder Maalot. Rav Kook took the letters רָצוֹן desire, and

re-formed them to make the word צינור ; pipe or tube.

19. As Yirmiyahu cries: גם כי אֶזְעַק וְאֶשׁוּעַ, שְׁתֵּם תִּפְלְתִי, when I cry and call for help, He shuts out my prayer (Eikha 3:8).
20. From the ideas of Rav Kook, heard from R. Naftali Weiss, Yeshivat Hesder Maalot
21. Heard from R. Meir Bazak, Yeshivat Hesder Maalot
22. Heard from R. Meir Bazak, Yeshivat Hesder Maalot
23. Yishayahu 5:20
24. Hilkhhot Deot Chapter 2
25. Taught by Rav Yitzhak Hirshfeld, Rosh Yeshiva, Darche Noam
26. Taught by Rav Feivel Shuster, Mashgiah Ruhani, Yeshivat Darche Noam
27. Midrash Tanhuma on Bereshit 4:24, Siman 11
28. Yafeh Toar R.Shmuel Yafeh, on a midrash cited in the Yerushalmi. See Bereshit 4:15.
29. *Mikhtav M'Elياهو* on Bereshit, Adam's Test and its lesson for us
30. Bereshit, 5:3
31. Heard from Rav Feivel Shuster, Mashgiah Ruhani – also quoted by R. Twersky, *Let Us Make Man* 127 – 128.
32. Zohar Hadash 17d
33. Yalkut Shimoni 41
34. I wish to thank the following teachers: Rosh Yeshivat Darche Noam, Rav Yitzhak Hirshfeld, Mashgiah Ruhani Yeshivat Darche Noam, Rav Feivel Shuster, Rav Avrohom Feingold, Rav Meir Bazak, Yeshivat Hesder Maalot, R' Naftali Weiss, Avrech Yeshivat Hesder Maalot, Rav Ilan Goldman, Yeshivat Hesder Maalot and R' Dov Ber Cohen.

'All those who say Shlomo sinned are mistaken': Of rabbis and revisionism

DANIEL YOUNGERWOOD

וַיֵּלֶךְ שְׁלֹמֹה אַחֲרֵי עֲשֵׂתֹרֶת אֱלֹהֵי צִדְוֹנִים וְאַחֲרֵי מִלְכָּם
שֶׁקֶץ עַמֻּנִים. וַיַּעַשׂ שְׁלֹמֹה הָרַע בְּעֵינֵי ה' וְלֹא מָלָא אַחֲרֵי
ה' כְּדָוִד אָבִיו. אִזּוּ יִבְנֶה שְׁלֹמֹה בַּמָּה לְכַמּוֹשׁ שֶׁקֶץ מוֹאָב
בְּהָר אֲשֶׁר עַל פְּנֵי יְרוּשָׁלַם וּלְמִלְכָּם שֶׁקֶץ בְּנֵי עַמּוֹן

And Shlomo went after Ashtoret the goddess of the Zidoni, and after Milcom the detestation of the Ammoni. And Shlomo did that which was evil in the sight of the Lord, and went not fully after the Lord, as did David his father. Then Shlomo built an altar for Khemosh the detestation of Moav, in the mount that is before Yerushalayim, and for Molekh the detestation of the children of Ammon.

(Melakhim I 11:5-7)

אמר ר' שמואל בר נחמני א"ר יונתן כל האומר שלמה חטא אינו אלא טועה

R. Shmuel bar Nahmani said in the name of R. Yonatan, 'All those who say that Shlomo sinned are mistaken.'

(Masekhet Shabbat 56b)

Introduction

Tanakh does not present us with the flawless leaders of fairy stories. Nowhere is this more apparent than in the founders of the Kingdom of Israel – David and his son Shlomo. The text has David guilty of gilui arayot (sleeping with Batsheva) and shefikhut damim (murder of Uria).¹ Shlomo is presented as guilty of avoda zara, as described in Melakhim I 11. Between them, they have transgressed the three most serious sins! And yet, a re-reading of these stories through the eyes of Hazal presents a very different version in which David and Shlomo are entirely innocent of these crimes.²

The reader of Tanakh appears to face two equally unattractive alternatives. On the one hand, he may decide to learn the texts as simple pshat disregarding any interpretations of the commentators. This will leave him with the unpalatable conclusion that our leaders were far from great and were undeserving of the adulation granted to them in later history. Indeed, David is treated with particular venom by many modern, secular Israeli commentators.

The story of King Shlomo presents particular difficulties.

On the other hand, one can learn Tanakh based on a simplistic reading of Hazal to the extent that the apparent pshat is completely ignored and the stories come to bear little resemblance to the unembellished text. While this may provide comfort to those upholding our heritage, it is intellectually suspect and flies in the face of the well known adage - אין מקרא יוצא מידי פשוטו - a verse is never understood in a way that is entirely removed from its simple meaning (its pshat).³

The story of King Shlomo presents particular difficulties with this in mind. The pasukim in Sefer Melakhim describe in great detail the decline of Shlomo into uncontrolled avoda zara as a consequence of his relationships with numerous non-Jewish women. God punishes him by promising to divide the kingdom and remove ten of the twelve tribes from his sovereignty. Indeed, the right to hold on to any power at all is traced to God's promise to David, which suggests that Shlomo's actions may lead to his loss of the entire kingdom. The

sefer even implies that Shlomo started the process that led to the destruction of the Mikdash. When God accuses Shlomo of sin, He says:⁴

וַיֹּאמֶר ה' לְשִׁלְמֹה יַעַן אֲשֶׁר הִיָּתָה זֹאת עִמָּךְ וְלֹא שָׁמַרְתָּ בְרִיתִי וְחֻקֹּתַי אֲשֶׁר צִוִּיתִי עִלְיֶיךָ קָרַע אֶקְרַע אֶת הַמַּמְלָכָה מֵעַלְיֶיךָ וְיָנַתִּיָּהּ לְעַבְדֶּךָ.

And God said to Shlomo, since this was your way, and you did not guard my covenant and my statute which I commanded you, I will tear the kingdom from you and give it to your servant.

The joint phrase of 'my covenant and statute' is unusual but is repeated towards the end of Melakhim II in a summary of how the Jews went into exile:⁵

וַיִּמְאַסּוּ אֶת חֻקֵּי וְאֶת בְּרִיתוֹ אֲשֶׁר כָּרַת אֶת-אֲבוֹתָם

And they despised [God's] statutes and His covenant which He made with their fathers.

The message here is that since Shlomo failed to guard God's covenant and statutes, the consequence was that the people ended up despising them. While the text is unequivocal in its explicit description of Shlomo's actions, the Gemara declares that Shlomo did not sin!

In this article, we will examine the complex relationship between the pshat of the story of Shlomo and the apparently revisionist statements of Hazal. The article will be divided into four parts: Part one will summarise the first eleven chapters of Melakhim I to give the reader background knowledge of the narrative. In part two, I will present a summary of some of the pertinent passages of the Gemara. In part three, a radical re-interpretation of Hazal's statements will be described. This will be a summary of the approach taken by Rav Yaakov Meidan, currently Rosh Yeshiva of Har Etsion. In part four, the method described by Rav Meidan will be employed to understand the case of Shlomo.

Part I: Overview of the life of Shlomo

Sefer Melakhim is a direct continuation of Sefer Shmuel which describes the formation of the monarchy in Israel, firstly through Shaul and then through David. Both these

kings succeeded in uniting a highly disparate nation and assisted in defeating some of Israel's biggest enemies at the time.⁶ David moved the Ark into Yerushalayim for the first time and asked to build the Temple. However, God denied David's request, and promised David a dynasty as well as a son who will build the Temple in his stead.⁷ The rest of the sefer describes the tragic downfall of David as a consequence of his sin with Batsheva, and his children's rebellion against him. By the time we reach Sefer Melakhim, we are presented with a much weakened David. Adoniyahu (David's fourth son) is preparing to take over the kingdom (which he perceives as his right after the demise of his older brothers Amnon and Avshalom). The court is split and Natan the prophet enlists Batsheva to persuade David to appoint Shlomo as his true successor. David indeed does so and Shlomo is crowned king.⁸ David realises the danger of palace intrigue and in his final words, instructs Shlomo to be 'wise' in dealing with the individuals (particularly Yoav and Shimi ben Gera) involved.⁹ In the beginning of his reign, Shlomo consolidated his kingdom by putting down a possible revolution by Adoniyahu.¹⁰

Shlomo married the daughter of Pharaoh and brought her to Yerushalayim. The people of Israel were still offering sacrifices on their own altars (bamot) as there was as yet no Temple. (It was permitted to use bamot until the erection of the Temple.) We are told how Shlomo loved God and how he used to go to Givon to offer sacrifices and served up a thousand sacrifices there.¹¹ During one of these visits, God appeared to Shlomo in a dream offering him anything of his choice. Shlomo asked God to grant him the ability to judge his people. God granted him wisdom, 'the likes of which had never been seen before nor would be seen subsequently'.¹² Proof of this newfound wisdom is described in the famous case of the two harlots (zonot) who argue as to who is the genuine mother of a baby boy. Shlomo famously threatened to divide the baby in two and by doing so, revealed the true mother. As a result of this case, Shlomo's reputation as a wise man spread throughout the land.¹³ Shortly after, Israel is described as a highly organised and prosperous country. Shlomo ruled over the whole of Greater Israel and foreign dignitaries brought him gifts.¹⁴ The narrative emphasises Israel's great wealth and army (including a large number of horses).¹⁵ In addition, Shlomo's great wisdom is compared to other great people of the day.¹⁶

The story then continues with the build-up to the erection of the Beit Hamikdash. Hiram, a king in Tsor, Lebanon

sent greetings and Shlomo established trade with him. Hiram supplied the wood used in the Mikdash and a covenant was sealed between the two.¹⁷ Following a brief description of the levies imposed to raise capital for the Mikdash, the building continued and is described in great detail, and God promises Shlomo that this enterprise will be a great success as long as His mitsvot are followed. The building is completed after seven years.¹⁸ After the Mikdash was completed, Shlomo started work on his own palace and a palace for the daughter of Pharaoh. Interestingly, his palace was almost double in size of the Mikdash and took thirteen years to build.¹⁹ The text then returns to the building of the Mikdash and describes more of its architectural details.

He took numerous non-Jewish wives from neighbouring countries such as Moav, Ammon and Edom despite God's warnings against such unions.

Chapter 8 of Melakhim I describes Shlomo's dedication ceremony and his speech in which he welcomed Jew and non-Jew alike to pray at the Mikdash and use it as a means to become close to God.²⁰ After his speech he offered thousands of sacrifices. God repeated His pledge of support to Shlomo – conditional upon continued observance of the Torah.²¹ The narrative then returns to Shlomo's relationship to Hiram and mentions fleetingly that Hiram was unhappy with the land he received in payment from Shlomo.²² The text describes the taxes Shlomo levied to finance his building programme.

Chapter 10 described the famous arrival of the Queen of Sheva who came to assess Shlomo's wisdom and was impressed. The text describes the vast reserves of gold that Shlomo accumulated until he becomes the wealthiest king of the day.²³ Shlomo is also described as having assembled a vast number of horses and chariots which were bought from Egypt.²⁴

Chapter 11 gives an account of Shlomo's alarming descent. He took numerous non-Jewish wives from neighbouring countries such as Moav, Ammon and Edom despite God's warnings against such unions.²⁵ He took 700 concubines and 300 wives who led him astray. As the verses in the opening segment of this article portray, Shlomo 'went

after the gods of Zidon and Ammon and did 'evil in the eyes of God'. He built altars to the various idols overlooking Yerushalayim and built one for each of his wives so that they could continue their idol worship. God's response was to tear the kingdom from Shlomo, leaving him with a rump kingdom of Yehuda and Binyamin. Shlomo's kingdom started showing signs of deterioration as neighbours caused trouble. Eventually, strife brewed within the kingdom and following Shlomo's death the land was divided and Yeravam formed the Kingdom of Israel, taking ten tribes with him.²⁶

Part II: Hazal's view

The Gemara in Shabbat 55b-56b discusses a series of statements of Rabbi Shmuel bar Nahmani in the name of Rabbi Yonatan that appear to revise the basic understanding of several texts in Tanakh. All these statements follow the format of, 'All who say that X sinned is mistaken' and then argue why this is the case. The personalities analysed are Reuven, sons of Eli, sons of Shmuel, David, Shlomo and Yoshiyahu.

Each character deserves his own discussion, but this is beyond the remit of this article. Regarding Shlomo, the Gemara says:²⁷

אמר רבי שמואל בר נחמני אמר רבי יונתן: כל האומר שלמה חטא - אינו אלא טועה, שנאמר [מלכים א' יא] ולא היה לבבו שלם עם ה' אלהיו כלבב דוד אביו, כלבב דוד אביו הוא דלא הוה - מיחטא נמי לא חטא והכתיב [מלכים א' יא] אז יבנה שלמה במה לכמוש שקץ מואב! - שבקש לבנות ולא בנה. אלא מעתה [יהושע ח] אז יבנה יהושע מזבח לה' שבקש לבנות ולא בנה? אלא - דבנה, הכא נמי - דבנה! - אלא, כדתניא רבי יוסי אומר: [מלכים ב' כג] ואת הבמות אשר על פני ירושלים אשר מימין להר המשחה אשר בנה שלמה מלך ישראל לעשתרת שקוץ צדונים וגו'. אפשר בא אסא ולא ביערם, יהושפט ולא ביערם, עד שבא יאשיה וביערם? והלא כל עבודה זרה שבארץ ישראל אסא ויהושפט ביערום! אלא: מקיש ראשונים לאחרונים, מה אחרונים לא עשו - ותלה בהן לשבח, אף ראשונים לא עשו - ותלה בהן לגנאי. והכתיב [מלכים א' יא] ויעש שלמה הרע בעיני ה' - אלא מפני שהיה לו למחות בנשיו, ולא מיחה, מעלה עליו הכתוב כאילו חטא.

R. Shmuel bar Nahmani said in the name of R. Yonatan, 'All those who say that Shlomo sinned are mistaken as it says,

“And his heart was not complete with God like the heart of his father, David”. [We explain the verse thus:] His heart was not as David’s [i.e. it was incomplete relative to the great king David] but he did not sin’.

But is it not written (Melakhim I 11), ‘So Shlomo built an altar for Khemosh the detestation of Moav’? [This should be explained as] he wanted to build but did not. If this is the case, then say the same about the pasuk: ‘So Yehoshua built an altar to God’ (Yehoshua 8) – that he wanted to build but did not! Surely, Yehoshua did build, therefore so did Shlomo.

Rather, teach like R. Yossi who says of the verse (Melakhim II,23): ‘And the altars overlooking Yerushalayim... which Shlomo built to Ashtoret etc.’; is it possible that Asa came and did not destroy them, Yehoshafat came and did not destroy them but Yoshiyahu came and did destroy them?! Surely Asa and Yehoshafat destroyed all idol worship in Israel!

So, the verse compares the first altars to the last – just as Yoshiyahu did not destroy Shlomo’s altars but nevertheless received praise for doing so [Rashi: Yoshiyahu destroyed altars built after Asa and Yehoshafat and was praised for the actions of his predecessors as a result], so the first lot of altars were also not [built by Shlomo] but he is blamed for them [Rashi: by not protesting their existence]. But, does the verse not say, ‘And Shlomo did evil in the eyes of God’? – since he should have stopped his wives and did not protest, it is as if he sinned.

Let us examine the pasukim themselves:²⁸

וְהַמֶּלֶךְ שְׁלֹמֹה אָהֵב נָשִׁים נְכָרִיּוֹת רַבּוֹת וְאֶת בֵּת פְּרָעָה מוֹאָבִיּוֹת עַמֹּנִיּוֹת אֲדָמִית צִדְנִית חִתִּית. מִן הַגּוֹיִם אֲשֶׁר אָמַר ה', אֵל בְּנֵי יִשְׂרָאֵל לֹא תִבְאוּ בָהֶם וְהֵם לֹא יָבֹאוּ בָכֶם אֲכֹן יִטּוּ אֶת לִבְבְּכֶם אַחֲרֵי אֱלֹהֵיהֶם בָּהֶם דָּבַק שְׁלֹמֹה לְאֹהֲבָהּ. וַיְהִי לוֹ נָשִׁים שְׂרוֹת שִׁבְעַ מֵאוֹת וּפְלִגְשִׁים שְׁלֹשׁ מֵאוֹת וַיִּטּוּ נַפְשׁוֹ אֶת לְבוֹ. וַיְהִי לְעֵת זְקֵנֹת שְׁלֹמֹה נַפְשׁוֹ הָטוּ אֶת לִבְבוֹ אַחֲרֵי אֱלֹהִים אַחֲרִים וְלֹא הָיָה לְבָבוֹ שְׁלֵם עִם ה', אֱלֹהֵיו כְּלָבֵב דָּוִד אָבִיו. וַיִּלְךְ שְׁלֹמֹה אַחֲרֵי עֲשֵׂתֹת אֱלֹהֵי צִדְנִים וְאַחֲרֵי מִלְכָם שִׁקְץ עַמֹּנִים. וַיַּעַשׂ שְׁלֹמֹה הָרַע בְּעֵינֵי ה', וְלֹא מִלֵּא אַחֲרֵי ה', כְּדָוִד אָבִיו. אִזּוֹ יִבְנֶה שְׁלֹמֹה בַּמָּה לְכַמּוֹשׁ שִׁקְץ מוֹאָב בְּהָר אֲשֶׁר עַל פְּנֵי יְרוּשָׁלַם וְלִמְלֶכֶת שִׁקְץ בְּנֵי עַמּוֹן. וַיְכַן עֲשָׂה לְכָל נַפְשׁוֹ הַנְּכָרִיּוֹת מִקְטִירוֹת וּמִזִּבְחֹת לְאֱלֹהֵיהֶן.

And the king Shlomo loved many foreign women, besides the daughter of Pharaoh, women of Moav, Ammon, Edom, Zidon, and the Hittites; of the nations concerning which the Lord said unto the children of Israel: ‘You shall not go among them, neither shall they come among you; for surely they will turn away your heart after their gods’; Shlomo did cleave unto these in love. And he had seven hundred wives,

noblewomen and three hundred concubines; and his wives turned away his heart. And it came to pass, when Shlomo was old, that his wives turned away his heart after other gods; and his heart was not whole with the Lord his God, as was the heart of David his father. And Shlomo went after Ashtoret the goddess of the Zidoni, and after Milcom the detestation of the Ammoni. And Shlomo did that which was evil in the sight of the Lord, and went not fully after the Lord, as did David his father. Then Shlomo built an altar for Khemosh the detestation of Moav, in the mount that is before Yerushalayim, and for Molekh the detestation of the children of Ammon. And so he did for all his foreign wives, who offered and sacrificed unto their gods.

The Gemara seems to depart from the simple understanding of the verses that:

1. Shlomo’s heart was turned towards other gods especially Ashtoret and Milcom.
2. Shlomo did evil in the eyes of God.
3. Shlomo built altars to Khemosh and to Molekh.
4. Shlomo did the same for all his wives – namely built altars for their gods so they could serve there.

The Gemara makes its case on the basis that Shlomo was only ‘bad’ relative to David but was not bad in absolute terms. This is difficult when one looks at other kings described later.

Ahaz ‘passed his sons through fire’ and worshipped ‘under every leafy tree’.³⁰ He even built a new altar in the Mikdash based on the structure of the Assyrian model and physically violated some of the structures of the Mikdash.³¹ Ahaz is described as ‘not being upright in the eyes of God like David his father’.³² Can we say that Ahaz was only ‘comparatively bad’ when he violated the Mikdash and worshipped idols simply because the verse compares him to David? Furthermore, Asa is described as ‘being upright in the eyes of God like David his father’, yet Asa did not remove the bamot.³³ If indeed Shlomo had no active part in building the altars but simply did not protest their existence, how was his behaviour different from Asa’s, who did not protest the continued existence of the bamot?

We are therefore left with the impression that Hazal were trying to force a revisionist interpretation of Shlomo’s actions.

Even though the two infractions were different, there are enough similarities to raise questions about the deduction made from the phrases comparing these kings to David.

The second argument made by the Gemara is that there is an example in Sefer Melakhim of a king given credit for something he did not do regarding the altars of Shlomo. Similarly, Shlomo is also given 'credit' for something he did not do, namely the construction of the altars. This argument is difficult as the pasukim appear to go to great lengths to show how Shlomo built the altars. Indeed, Shlomo even 'went after some of these gods!

We are therefore left with the impression that Hazal were trying to force a revisionist interpretation of Shlomo's actions on the basis of two weak textual arguments.

Alternative Views

It would be misleading to proceed with further discussion of the view of Hazal without pointing out that there are other views in the Gemara and Midrash that are less charitable to Shlomo. One which stands out is the following Midrash:³⁴

כך שנו רבותינו אלו שאין להם חלק לעולם הבא, שלשה מלכים וארבעה הדיוטות אין להם חלק לעולם הבא, שלשה מלכים ירבעם אחאב ומנשה. אמר ר' יהודה הלוי בר שלום בקשו חכמי המשנה לשנות ארבעה מלכים ולמנות עמהן שלמה, אלא שיצתה בת קול ואמרה אל תגעו במשיחי (תהלים קה טו), ואע"פ כן חזרו יום אחד לשנות, באתה אש מן השמים וליחכה בספסליהם, חזרה ואמרה, המעמד ישלמנה כי מאסת (איוב לד לג), כל כך למה היו שונים, על שכתוב והמלך שלמה אהב נשים נכריות [וגוי], ויעש שלמה הרע בעיני ה'

So our Rabbis taught, these individuals did not inherit olam haba – three kings and four ordinary people. The three kings are Yeravam, Ahav and Menashe. R. Yehuda HaLevi bar Shalom said, 'The Rabbis of the Mishna tried to change this statement to four kings and to include Shlomo with them, but a voice came from heaven declaring, "Do not touch my anointed" (Tehillim 105:15); and even so they came back one day and tried to change it again! A flame came from heaven and burnt up their benches and said, "Must God have your [consent] to punish that you can reject it?!" (Iyov 34:33). Why did they try to change things? Since it is written that Shlomo loved non-Jewish women and did evil in the eyes of God.

This remarkable Midrash tells of Hazal's repeated attempts to include Shlomo in the same bracket as three of the most loathsome kings in Jewish history: Yeravam, who built golden calves, appointed his own priests and prevented the Jewish people from going to the Mikdash; Ahav who introduced the Idol worship of Izevel into Israel and was behind the murder of Navot; and Menashe who built altars for idols in the Mikdash itself and spilt enough blood to 'fill Yerushalayim'.³⁵ The fact that some kings such as Ahaz are omitted is clear evidence that Shlomo was considered to be far worse than the Gemara in Shabbat states. Interestingly, the Gemara in Shabbat itself hints at a dissenting opinion:³⁶

אמר רב יהודה אמר שמואל: בשעה שנשא שלמה את בת פרעה ירד גבריאל ונעץ קנה בים, ועלה בו שירטון, ועליו נבנה כרך גדול [של רומי]

R. Yehuda said in the name of Shmuel: 'When Shlomo married the daughter of Pharaoh, Gavriel descended and stuck a reed in the sea from which mud rose and a large town was built on it [Rome]'

The Gemara clearly relates Shlomo's marriage to the daughter of Pharaoh as the beginning of the end. This union started a chain of events that brought Rome to Israel in its destruction of the Mikdash!

There are other sources that also point to Shlomo's guilt, but perhaps most intriguing is a passage in Sefer Nehemia where Nehemia rebukes the people for marrying out:³⁷

הלווא על אלה חטא שלמה מלך ישראל ובגויים הרבים לא היה מלך כמהו ואהוב לאל-יו היה ויתנהו ה מלך על כל ישראל גם אותו החטיאו הנשים הנכריות

Was not Shlomo guilty of these sins [intermarriage] with many nations, and there was no other king like him and beloved to his God; and God made him king over all Israel, and the non-Jewish wives caused even him to sin.

While this does not necessarily prove the nature of Shlomo's transgression, it clearly says that he sinned.

We have now seen the arguments in the Gemara in Shabbat 56b which seek to absolve Shlomo of guilt, and how they sit uneasily with the pasukim. We have also shown that the Gemara was not representative of all of Hazal and perhaps even of the prophets – especially Nehemia.

Hazal often found criticism where the text implies none.

How, then, can we explain the views of R. Shmuel bar Nahmani and R. Yonatan?

Part III: Revising the Revision

The assumption has been made up till now that R. Shmuel bar Nahmani and R. Yonatan were seeking to absolve Shlomo, David and others of guilt to remove the dissonance between their heroic status and their apparent actions.

Rav Yaakov Meidan has described a radically different understanding of the Gemara in Shabbat that maintains that far from being revisionist, R. Shmuel bar Nahmani and R. Yonatan were struggling with profound problems in the pshat of the various episodes.³⁸

His first argument is that Hazal often found criticism where the text implies none. A famous example of this is Avraham who is accused of three separate sins which are meant to explain why the Jews were promised 400 years of slavery. This is despite the fact that the simple pshat implies no fault on Avraham's behalf whatsoever.³⁹ Rav Meidan lists several examples along similar lines.⁴⁰ In addition, he argues that if the purpose of the Gemara in Shabbat was simply to whitewash Biblical characters, why apply this to the sons of Shmuel and Eli who are hardly considered important or heroic? Therefore, he argues that the Gemara must have had a different purpose.

He argues that the common link in all the stories discussed in Shabbat is the presence of a contradiction between two accounts of the same episode. For example, in the case of Reuven, the pasukim in parashat Vayishlakh describe how he slept with Bilha. Yet in parashat Vayehi when Yaakov blessed his sons, he barely criticised Reuven. This makes little sense, especially when we see that Yaakov punished Shimon and Levi severely for their behaviour in Shekhem. In addition, we see throughout Sefer Bereshit that characters were exiled for severe sins, and yet Reuven who was apparently guilty of gilui arayot did not even get punished.

Hazal have two approaches – either Reuven did indeed

sin but repented (even though there is no direct mention of teshuva in the narrative) or Reuven did not really sin and something else occurred that had the moral force of sleeping with his father's wife.⁴¹ R. Yonatan chose the latter of those two options as he felt it was more consistent with the overall pshat.

Rav Meidan uses the case of David to explain his understanding of the Gemara in the most detail. David is reported to have committed adultery with Batsheva, and then tried to cover up the sin by bringing her husband Uriah back from the frontline to sleep with her. When he refuses, David arranged the death of Uriah. Only after the birth of a son from this illegitimate relationship does Natan the prophet rebuke David by using the parable of the rich man who stole his poor neighbour's sheep to slaughter and serve to his guest. David castigates the rich man saying he is deserving of death at which point Natan turns round and tells David that he is the rich man.⁴²

Once more, Rav Shmuel bar Nahmani states that, 'All those who say David sinned are mistaken'. Rav Meidan identifies a contradiction between the reported crimes (adultery and murder) and the parable of Natan which is about theft. The Gemara understands the parable as reporting the literal truth of the episode (i.e. theft) and re-interprets David's actions accordingly.⁴³ Rav Meidan presents convincing arguments to absolve David of technical sin but stresses that Hazal never exonerated David from severe moral infractions.

Rav Meidan therefore says that the Gemara in Shabbat is not an attempt to whitewash the wrongdoings of Biblical characters but is an attempt to resolve a difficulty in pshat created by contradictory details in different versions of the same stories. With this new interpretation in mind, we will apply it to the story of Shlomo.

Part IV: From diplomat to deity

As we have seen, according to Rav Meidan the key to understanding R. Shmuel bar Nahmani and R. Yonatan's pshat regarding Shlomo is finding the contradiction in the narrative that forces a reinterpretation. This contradiction can be found in chapters 3 and 11 of Melakhim I which describes Shlomo's relationship with the daughter of Pharaoh.⁴⁴

Chapter 3 describes Shlomo's actions after the killing of his enemies. His first act is to marry the daughter of Pharaoh:

וַיִּתְחַתֵּן שְׁלֹמֹה אֶת פָּרְעֹה מֶלֶךְ מִצְרַיִם וַיִּקַּח אֶת בֵּית
פָּרְעֹה וַיְבִיאָהּ אֶל עִיר דָּוִד עַד כְּלִתּוֹ לְבָנוֹת אֶת בֵּיתוֹ
וְאֶת בֵּית יְקִיָּק וְאֶת חוֹמַת יְרוּשָׁלַם סָבִיב

And Shlomo made a marriage pact with Pharaoh and took the daughter of Pharaoh and brought her to the city of David until he completed building his house and the House of God and the wall of Yerushalayim around. (Melakhim I 3:1)

This is in contrast to chapter 11:

וְהַמֶּלֶךְ שְׁלֹמֹה אָהֵב נָשִׁים נְכָרִיּוֹת רַבּוֹת וְאֶת-בֵּת-פָּרְעֹה
מוֹאָבִיּוֹת עַמֻּנִיּוֹת אַדְמִית צִדְנִית חִתִּית. מִן-הַגּוֹיִם
אֲשֶׁר אָמַר-יְהוָה אֶל-בְּנֵי יִשְׂרָאֵל לֹא-תִבְאוּ בָהֶם וְהֵם
לֹא-יָבֹאוּ בָכֶם אַךְן יִטּוּ אֶת-לְבַבְכֶם אַחֲרֵי אֱלֹהֵיהֶם
בָּהֶם דָּבַק שְׁלֹמֹה לְאֵהָבָה.

And the king Shlomo loved many foreign women, besides the daughter of Pharaoh, women of Moav, Ammon, Edom, Zidon, and the Hittites; of the nations concerning which the Lord said unto the children of Israel: 'You shall not go among them, neither shall they come among you; for surely they will turn away your heart after their gods'; Shlomo did cleave unto these in love.

Whereas in chapter 3, Shlomo is described as having married the daughter of Pharaoh, chapter 11 lists women who he 'cleaved to in love'. There is no description of marriage in chapter 11 – simply the appearance of a harem. However, amongst the thousand women he gathers, the daughter of Pharaoh is singled out. It is as if the text wanted to emphasise the difference between the two chapters.

These negative connotations in chapter 11 are picked up by the Gemara in Yevamot (76b) and are clearly articulated by the Rishonim:

1. לא נסיב מידי - אלא לזנות היה מתכוין
דבק שלמה לאהבה - ולא לאישות

He [Shlomo] did nothing [i.e. did not marry these women] – but rather he intended 'znut' [sexual gratification]. Shlomo cleaved to these in love – but not for marriage.⁴⁵

2. שלמה לא נסיב מידי - דבהם דבק שלמה לאהבה
כתיב שלא היה אלא דרך אהבה ולא דרך חתנות

He [Shlomo] did nothing [i.e. did not marry these women] –



King Solomon welcomes Pharaoh's daughter

since it is written that he cleaved to them in love, this means only through desire but not through marriage.⁴⁶

One might think that this is a technicality, but the sentiment in the two chapters is completely different. Chapter 3 describes the actions Shlomo took to further consolidate his reign. As such, there is barely a hint of criticism of his actions.⁴⁷ Chapter 11 on the other hand goes out of its way to criticise and condemn Shlomo. His actions reputedly lead to avoda zara.

Are we to believe that the two texts are consistent? How can chapter 3 not only keep quiet about but actually portray positively an act that flies in the face of the very basics of Judaism? This is the contradiction that R. Shmuel bar Nahmani and R. Yonatan struggled with. They had two choices – either to reinterpret chapter 3 in a negative light, or reinterpret chapter 11 in a positive light. They chose the latter option for reasons we shall see below.

However, Hazal elsewhere chose to reinterpret chapter 3 in a negative light:

מתוך אהבה יתירה שאהבה, מעלה עליו הכתוב
כאילו נתחתן בה

Due to the excessive love with which he loved her, the verse considers him as if he had married her.⁴⁸

According to this Gemara, the contradiction is solved by saying that Shlomo did not marry the daughter of Pharaoh, but rather he loved her so much it is as if he married her.⁴⁹

How to marry an Egyptian

Before we continue we should address the basic problem of how Shlomo was halakhically allowed to marry an Egyptian princess. This topic merits a longer discussion but a brief outline will be provided here.

The Torah has a prohibition against intermarriage:⁵⁰

וְלֹא תִתְחַתֵּן בָּם

*And you should not marry them [the nations living in Israel].*⁵¹

The Gemara discusses how Shlomo could marry the daughter of Pharaoh, an action which surely contravened the prohibition of intermarriage!⁵² Seeing no obvious solution, it concludes that in reality, Shlomo did not actually marry her. It was 'as if' he married her.

The Rambam has a novel understanding of this solution that offers a different route to solving the difficulty the Gemara has as well as offering an explanation for the contradiction in Sefer Melakhim.⁵³ He writes:

אל יעלה על דעתך ששמשון המושיע את ישראל או שלמה מלך ישראל שנקרא ידיד ה' נשאו נשים נכריות בגיותן ולפי שגיייר שלמה נשים ונשאן, וכן שמשון גייר ונשא, והדבר ידוע שלא חזרו אלו אלא בשביל דבר, ולא על פי ב"ד גיירום חשבן הכתוב כאילו הן עכו"ם ובאיסורן עומדין, ועוד שהוכיח סופן על תחלתן שהן עובדות כו"ם שלהן ובנו להן במות והעלה עליו הכתוב כאילו הוא בנאן שנאמר אז יבנה שלמה במה

Do not think that Shimshon the saviour of Israel or Shlomo the king of Israel who is also called, 'beloved of God', married non-Jewish women while they were still non-Jewish...But since Shlomo converted women and married them, and similarly Shimshon converted and married; and it was known that these women converted for ulterior motives, and a Bet Din did not convert them, the pasukim consider them as if they were idol worshippers who remained forbidden to marry. Furthermore, their final actions shed light on their first actions – since they served their own idols and built altars for themselves, the pasukim consider as if Shlomo himself built them as it says, 'So built Shlomo'.

The Rambam is making two important points:

1. These women underwent conversions; however these were not fully kosher conversions and therefore the marriage was effectively annulled and Shlomo was not guilty of וְלֹא תִתְחַתֵּן בָּם⁵⁴

2. This resolves a contradiction: Shlomo converted (albeit in questionable circumstances) and married the daughter of Pharaoh according to halakha, but as time passed, she showed her true colours and by doing so annulled her marriage. This reconciles chapter 3 with chapter 11 that describes the relationship as love, but not marriage.

The Rambam is particularly interesting as he upholds the simple pshat of the narratives in Melakhim and does not need to reinterpret either chapters 3 or 11. The only problem this leaves is why the Rambam chose to reinterpret the rest of chapter 11 that states that Shlomo did in fact stray towards avoda zara.

As a postscript to this section, we will mention the opinion of the Abarbanel.⁵⁵ He states that there was no intrinsic problem with the marriage between Shlomo and the daughter of Pharaoh. The marriage served important political purposes (which we will discuss below). However, when Shlomo turned this political marriage into genuine feelings of love, this created problems. This solution also solves the contradiction, but it is unclear why the Abarbanel thought chapter 11 needed further interpretation.

Why get married?

R. Shmuel bar Nahmani and R. Yonatan chose to accept the literal truth of chapter 3 (i.e. real marriage) but reinterpreted chapter 11 to say that Shlomo did not really sin. To understand this, we have to explore how they could view the marriage of Shlomo and the daughter of Pharaoh in a positive light.

The Malbim writes:⁵⁶

ויתחתן שלמה. אחר שהכין מלכותו בקרב עמו, הכין אותה גם נגד מלכי ארץ אשר סביב לו במה שהתחתן עם מלך גדול מושל ממשל רב בימים ההם, ובוה ימצא עזר מצריו מבחוך

And Shlomo married. After he consolidated control over his kingdom internally, he strengthened it against the kings around him by marrying into the family of a great king who had ruled a kingdom for a long time, and through this he

would find support against his surrounding enemies.

The Malbim's idea is shared by many others. The marriage was made for diplomatic reasons – to create alliances that ultimately strengthened the kingdom. This was widespread practice for many years. Indeed, there is a strong hint in the pasuk (Melakhim 3:1) that this is the case:

וַיִּתְחַתֵּן שְׁלֹמֹה אֶת פַּרְעֹה מֶלֶךְ מִצְרָיִם

And Shlomo made a marriage pact with Pharaoh

The pasuk says that Shlomo 'married' Pharaoh himself as opposed to the daughter. The implication is therefore that the marriage was really a diplomatic contract between two nations.

An alternative pshat is offered by the Talmud Yerushalmi:⁵⁷

וכתיב והמלך שלמה אהב נשים נכריות ר"ש בן יוחי
אמר אהב ממש לזנות
ר' יוסי אומר למושכן לדברי תורה ולקרבת תחת כנפי
השכינה

*And it is written, 'And King Shlomo loved non-Jewish women'.
R. Shimon bar Yohai said, 'he loved them for znut (looseness)'.
R. Yossi says, to attract them to words of Torah and to bring
them under the wings of the Divine Presence.*

In the version presented here, Shlomo was not interested in diplomatic deals for the sake of strengthening his kingdom. Rather, he saw these alliances as a means of performing kiruv! He hoped to influence his new allies to renounce their own idol worship and to recognise the true God. This idea is likely to have been taken from the contents of Shlomo's speech during his inauguration of the Mikdash. In this speech, he presents lists of people who would benefit from visiting the Mikdash. In the middle of this list, Shlomo mentions:⁵⁸

וְגַם אֶל-הַנְּכָרִי אֲשֶׁר לֹא מֵעַמְּךָ יִשְׂרָאֵל הוּא וְבָא מֵאֶרֶץ
רְחוֹקָה לְמַעַן שְׁמֹךְ. כִּי יִשְׁמְעוּן אֶת-שְׁמֹךְ הַגָּדוֹל וְאֶת-
זֶדְדְּ הַחֲזָקָה וְזִרְעֵךְ הַנְּטוּיָה וְבָא וְהִתְפַּלֵּל אֶל-הַבַּיִת
הַזֶּה. אֲתָה תִשְׁמַע הַשָּׁמַיִם מִכֹּון שְׁבִתְךָ וְעֲשִׂיתָ כְּכֹל
אֲשֶׁר יִקְרָא אֵלֶיךָ הַנְּכָרִי לְמַעַן יִדְעוּן כֹּל עַמֵּי הָאָרֶץ אֶת
שְׁמֹךְ לִירְאָה אֶתְךָ כְּעַמְּךָ יִשְׂרָאֵל וְלִדְעוּת כִּי שְׁמֹךְ נִקְרָא
עַל הַבַּיִת הַזֶּה אֲשֶׁר בְּנִיתִי.

And also the non-Jew who is not from your people Israel and comes from afar for your Name. When they hear Your great Name and Your strong hand and outstretched arm and come and pray at this house. You shall hear in heaven Your dwelling place, and do according to all that the non-Jew calls You for, that all peoples of the earth may know Your Name, to fear You, as (do) Your people Israel, and that they may know that Your Name is called upon this house that I have built.

It is clear that Shlomo saw the Mikdash as a place of gathering of international importance – not just for Jews. As part of his philosophy, he formed alliances (through marriage) with hundreds of small kingdoms in order to bring knowledge of God to the world. Shlomo saw himself as the most important person on the world stage. He saw an opportunity to do something that no other person prior to him could do – to bring God to all the nations in a way that could lead to the end of all idol worship.

However, with this opportunity came a great danger.

Who is the King of Glory?

According to the Gemara, on the day that Shlomo entered the Mikdash with the Ark, he encountered a problem:⁵⁹

כשבנה שלמה את בית המקדש ביקש להכניס ארון
לבית קדשי הקדשים, דבקו שערים זה בזה. אמר
שלמה עשרים וארבעה רננות ולא נענה. פתח ואמר:
[תהלים כד] שאו שערים ראשיכם והנשאו פתחי
עולם ויבא מלך הכבוד, רהטו בתריה למיבלעיה,
אמרו: [תהלים כד] מי הוא זה מלך הכבוד? אמר להו:
ה' עזוז וגבור. חזר ואמר: שאו שערים ראשיכם ושאו
פתחי עולם ויבא מלך הכבוד. מי הוא זה מלך הכבוד
ה' צבאות הוא מלך הכבוד סלה ולא נענה.

*On the day that Shlomo built the Mikdash, he tried to bring
the Ark into the Holy of Holies. The gates closed shut. Shlomo
sang twenty four songs but was not answered. He opened and
said [Tehillim 24], 'You gates, lift your heads and be uplifted,
[you] everlasting portals, so that the King of Glory may enter.
They [the gates] tried to swallow him up. They said [Tehillim
24], 'Who is the King of Glory?' He responded, 'You gates, lift
your heads and lift up, [you] everlasting portals, so that the
King of Glory may enter. Who is this King of Glory? The Lord
of Hosts - He is the King of Glory forever!' However, he was
not answered.*

The Gemara describes the scene when Shlomo was barred entry to the Mikdash by the gates themselves. Shlomo demands they open for 'the King of Glory', but the gates angrily ask who Shlomo is referring to. Shlomo has to clarify that he is referring to God.

This Gemara is key to understanding Shlomo's complexity. Shlomo (according to our reading of R. Shmuel bar Nahmani and R. Yonatan) married many women as a means to bring the nations of the world closer to God. In doing so, he paradoxically led people to see him as a deity himself! In trying to become the king of the world Shlomo was in danger of being perceived as the ultimate King of the world – the ultimate avoda zara! Of course, this was clearly not Shlomo's intention and by his reaction quoted in the Gemara above, he was insistent that this would not be the case. However, it is hard to control people's perception.

Where does the Gemara get this idea from? Perhaps, it arose from the description of the construction of the Mikdash and Shlomo's palace in chapters 6 and 7. The order is unusual in that the pasukim start by describing the building of the Mikdash, then interrupt this with Shlomo's own palace, before returning to more details of the Mikdash. This interruption can be read in two ways. Either it shows that the king's power is entirely dependent on God (hence his palace is juxtaposed with God's) or more dangerously – that there is some equivalence between the king's power and God's.

There are two features that point to the latter interpretation – first, Shlomo's palace takes twice as long to build as the Mikdash and secondly, Shlomo's palace appears to be twice the size.⁶⁰ Even beyond the construction of the Mikdash, it is very likely that the very institution of monarchy carries this danger – the king can be seen as representing the authority of God in this world, but can also be seen as an alternative ruler.⁶¹ This partly explains the great unease Shmuel had when the people requested that he appoint a king for them.⁶² Shmuel's furious reaction sits uneasily with the Torah's command to appoint a king. Even though this episode is beyond the remit of this essay, it is possible to argue from the apparent contradiction that the very institution of monarchy is fraught with danger.

I believe that this tension is beautifully illustrated in the structure of the chapters describing Shlomo's actions. As we can see from table 1, the story has a chiastic structure. The stories all appear to be told twice but

with fundamental differences: In the first half, these are invariably positive. The common strand in this section is the build-up to the central item – the building of the Mikdash.⁶³ In the second half, these same stories tend to be negative. In the first half, Shlomo's great wealth and horses are in the context of Shlomo building a great nation. In the second half these are in the context of implicit criticism of the decadence of his kingdom, which we will discuss further below. Shlomo's wisdom is praised in the first half, but in the second half is seen in the context of the visit of the Queen of Sheva. Even though it is hard to read anything negative into this episode, nevertheless Rashi mentions that Shlomo slept with the Queen of Sheva and gave birth to Nevukhadnetsar.⁶⁴

בא אליה ונולד ממנה נבוכדנצר והחריב הבית שעמד
ת"י שנים

*He had relations with her and bore Nevukhadnetsar through her and he destroyed the Mikdash that stood for 410 years.*⁶⁵

This Rashi clearly indicates that this union led to the process of destruction of the Mikdash.

Table 1: Chiastic structure of Melakhim I 2-11

A: Shlomo tackles internal enemies. (2:11-46)
B: Shlomo unites the kingdom (2:46)
C: Events of Chapter 3 (see table 2 below)
D: Shlomo's great wealth and horses (5:1-8)
E: Shlomo's wisdom is discussed in detail (5:9-14)
F: Shlomo meets Hiram – pact (5:15-32)
G: God promises support to Shlomo (conditional on Mitsvot) (6:11-13)
H: Shlomo builds the Mikdash (6:14-38)
I: Shlomo builds his own house (7:1-12) and completes the Mikdash including the inaugural speech. (7:13-51; 8:1-66)
H': Shlomo completes building the Mikdash (9:1)
G': God promises support to Shlomo (conditional on Mitsvot) (9:2-10)
F': Shlomo's interactions with Hiram (9:11-28)
E': Shlomo's wisdom is praised by the Queen of Sheva (10:1-13)
D': Shlomo's great wealth and horses (10:14-29)
C': Events of Chapter 11 (see table 2 below)
B': God promises to divide the kingdom (11:11-13)
A': Shlomo's concern about internal enemies (Yeravam) (11:40)

Table 2: Parallels between chapters 3 and 11 of Melakhim I

Chapter 3	Chapter 11
Shlomo marries the daughter of Pharaoh (3:1)	Shlomo has relationships with lots of non-Jewish women including the daughter of Pharaoh (11:1-3)
Shlomo loves God (3:3) וַיֶּאֱהָב שְׁלֹמֹה אֶת יְקֹנֶק לְלֶכֶת בְּחֻקֹת דָּוִד אָבִיו	Shlomo loves non-Jewish women (11:1) וְהִמְלִךְ שְׁלֹמֹה אֶהָב נָשִׁים נְכָרִיּוֹת רַבּוֹת
The people and Shlomo used bamot still (pre-Mikdash which was allowed) (3:2-3)	Shlomo builds a bama for avoda zara (11:7)
Shlomo offered 1000 sacrifices in Givon (3:4)	Shlomo takes 1000 women (300 wives and 700 concubines) (11:3)
God asks Shlomo to keep His laws as a condition to success (3:14) וְאִם תֵּלֵךְ בְּדַרְכֵי לְשֹׁמֵר חֻקֵי וּמִצְוֹתַי כַּאֲשֶׁר הִלַּךְ דָּוִד אָבִיךָ וְהִאֲרַכְתִּי אֶת יָמֶיךָ	Shlomo is accused of not keeping God's laws and is therefore punished (11:11) וַיֹּאמֶר יְקֹנֶק לְשְׁלֹמֹה יַעַן אֲשֶׁר הִיִּתָּה זֹאת עִמָּךְ וְלֹא שָׁמַרְתָּ בְּרִיתִי וְחֻקֹתַי אֲשֶׁר צִוִּיתִי עָלֶיךָ
Shlomo deals with the two zonot (3:16-28)	Shlomo is guilty of znut (see Yerushalmi below) (11:1-3)

The encounters with Hiram are described twice. In the first instance there is no hint of negativity. However, in the second half we learn of Hiram's dissatisfaction with the nature of Shlomo's payment for his services.

This brings us back to the chapters we have been discussing - chapters 3 and 11. From table 2 below, we can see the same phenomenon – positive actions replaced by similar but negative ones. The positive nature of Shlomo's marriage to the daughter of Pharaoh is replaced in the second half with plain znut.

In trying to get to the root cause of this dichotomy, we have to look at table 1 again. At the centre of the chiasmic structure is the construction of the Mikdash and Shlomo's palace. The heart of the tension in the story of Shlomo is the contradictory message given out by the juxtaposition of these buildings.

The dangers of diplomacy

We have argued that Shlomo, in trying to create a world filled with belief in God, ended up introducing avoda zara into Israel. It is not clear how this happened.

The Torah itself was acutely aware of the dangers implicit in the monarchy and therefore limited the power of the king.⁶⁶

כִּי לֹא יִרְבֶּה לוֹ סוּסִים וְלֹא יֵשִׁיב אֶת הָעָם מִצְרַיִם לְמַעַן הִרְבּוֹת סוּס וְהָאָמַר לָכֶם לֹא תִסְפּוּן לָשׁוּב בְּדַרְכֵי הַיָּם עוֹד. וְלֹא יִרְבֶּה לוֹ נָשִׁים וְלֹא יִסּוּר לִבּוֹ וְכֶסֶף וְזָהָב לֹא יִרְבֶּה לוֹ מְאֹד.

He (the king) should not have too many horses so that he may not return the people to Egypt to accumulate horses (and God said to you that you must not return there again). And he should not have too many wives so that his heart may be led astray, and he should not have too much silver and gold.

The reason offered by the Torah for this is to prevent the king feeling superior to his subjects.⁶⁷ The Torah was acutely aware of the danger that the king would cross the border between leader and deity. It is therefore not coincidental that Shlomo is described as transgressing all three restrictions; he accumulates horses, women and gold in chapters 10 and 11.

The Gemara comments on why Shlomo transgressed:⁶⁸

ואמר רבי יצחק: מפני מה לא נתגלו טעמי תורה - שהרי שתי מקראות נתגלו טעמן נכשל בהן גדול העולם. כתיב [דברים י"ז] לא ירבה לו נשים, אמר שלמה: אני ארבה ולא אסור, וכתיב [מלכים א' י"א] ויהי לעת זקנת שלמה נשיו הטו את לבבו. וכתיב [דברים י"ז] לא ירבה לו סוסים, ואמר שלמה: אני ארבה ולא אשיב וכתיב [מלכים א' י"א] ותצא מרכבה ממצרים בשש וגו'

And R. Yitshak said, 'Why were the reasons for [the mitzvot of] the Torah not revealed? – Because there were two verses that had reasons revealed, and a great man failed because of them. It is written – 'He (the king) should not have too many wives'. Shlomo said, 'I will have many but will not stray', but it is written – 'And when Shlomo grew older, his wives led his heart astray'. And it is also written – 'He should not have too many horses', but Shlomo said, 'I will accumulate many but will not return (the people to Egypt)' and it is written – 'And a chariot left Egypt...'

Shlomo was the wisest man in the world and thought that he could rely on this to shield himself from danger. He did not realise that even if he was immune from the influence of his wives, he could not protect the people from the same. Presumably, Shlomo was so consumed with love for God and the idea of filling the world with the ideal of monotheism that he was prepared to do nearly anything to achieve this. As he created more alliances, these women brought their own cultures into Israel. Desperate not to antagonise them, we can imagine Shlomo allowing the construction of altars to their idols as long as it was in the confines of their own 'embassies'. During this time, Shlomo was convinced that it was only a matter of time before his wives came round to the truth. He did not realise that genuine diplomacy implies bilateral influence.

Shlomo was the wisest man in the world and thought that he could rely on this to shield himself from danger.

Interestingly, it is in Shlomo's punishment that we can find support for this interpretation. If we look at the pasuk in which God accuses Shlomo, we see strong parallels to the accusation Shmuel gives Shaul.⁶⁹

וַיֹּאמֶר אֱלֹהֵי שְׂמוּאֵל קָרַע הָאֵת מִמְּלֻכּוֹת יִשְׂרָאֵל
מֵעַלֶיךָ הַיּוֹם וְנָתַתָּה לְרַעַךְ הַטּוֹב מִמֶּךָ.

And Shmuel said to him (Shaul), 'God has torn the kingdom of Israel from you. Today he has given it to your better fellow'.

Compare this to Shlomo's accusation⁷⁰:

וַיֹּאמֶר ה' לְשִׁלְמֹה יַעַן אֲשֶׁר הִיָּתָה-זֹאת עִמָּךְ וְלֹא
שָׁמַרְתָּ בְרִיתִי וְחֻקֹּתַי אֲשֶׁר צִוִּיתִי עִלְיֶיךָ קָרַע אֶקְרַע
אֶת-הַמְּמַלְכָה מֵעַלְיֶיךָ וְנָתַתִּיהָ לְעַבְדְּךָ.

And God said to Shlomo, since this was your way, and you did not guard my covenant and my statutes which I commanded you, I will tear the kingdom from you and give it to your servant.

The promise to 'tear the kingdom' away from the kings and give it to somebody else who is not in line to the throne is an unusual phrase and is common to both Shlomo and Shaul. The implication of the shared punishment is that they were guilty of the same crime. How?

Shaul lost his kingship after sparing the life of Agag, king of Amalek. The traditional way of reading this episode is that Shaul spared only Agag but killed the rest of the Amalekites. Rav Yoel Bin-Nun in a groundbreaking article argued that this cannot be pshat.⁷¹ We meet many more Amalekites soon after this story; where did they come from if Shaul had wiped out the nation? Rav Meidan develops Rav Bin-Nun's idea and argues that Shaul's crime was in not destroying all of Amalek but waging a half-hearted war against them. Shaul spared Agag's life because it was politically worthwhile to do so. Shaul had been spending many years fighting the Pelishtim in the south and would have benefited from a military alliance with the other shared neighbours – Amalek. Shaul wanted to strike an agreement with Agag to fight the Pelishtim and was aghast when Shmuel asked him to destroy all of Amalek. His response was to attack one city only and in a half-hearted way.⁷² Having succeeded in sparing Agag, Shaul struck a deal with him (which was terminated abruptly and dramatically by Shmuel). Nevertheless, this act of diplomacy was enough to lose Shaul the monarchy. Later, Shaul instructed his army to destroy the city of Nov for sheltering David. The language used there is identical to the language used in Shmuel's instruction to destroy Amalek.⁷³ The Midrash picks up on this parallel to explain that anyone who has mercy on a cruel person will be cruel to a merciful person.⁷⁴ Rav Meidan explains that in shaking Agag's hand, Shaul absorbed much from Amalek.

Shlomo did much the same. As he shook Pharaoh's hand, he absorbed a little of Egypt. He tolerated that which previously he would never have tolerated.

My Beloved

We conclude and strengthen our analysis by highlighting a comparison that was apparent to Hazal – the lives of Avraham and Shlomo. Rav Meidan has taught that Midrashic comments about a story are often based on other characters who had similar experiences.⁷⁵

Shlomo and Avraham's lives share several parallels. Both were kings who were respected by the major powers around them.⁷⁶ Avraham was living in Israel spreading the word of God and monotheism. He also possessed great wealth in common with Shlomo.⁷⁷ Avraham and Shlomo are also the only two characters in Tanakh whom God explicitly 'loves'.⁷⁸

Shlomo exhibited an inappropriate degree of self-confidence. While thinking that he could influence others, he did not realise that his actions would lead to widespread avoda zara spreading throughout the land.

According to Hazal, Hagar was Pharaoh's daughter, which provides another commonality between Avraham and Shlomo.⁷⁹ Like Shlomo, Avraham's union was not a marriage of love but was functional. Sarah saw Hagar as a means of giving Avraham a son and heir. The son – Yishmael – was born and grew up in Avraham's house, but after Yitshak was born, Sarah witnessed Yishmael's avoda zara and demanded his expulsion from the house.⁸⁰ Avraham was torn – he faced the same situation as Shlomo (who also saw avoda zara introduced by a daughter of Pharaoh). Could he expel the avoda zara from his house or would he try to influence Yishmael through love? God told Avraham to listen to Sarah, and Yishmael was exiled. Avraham learnt the lesson. Towards the end of his life he took concubines (again similar to Shlomo) but sent them all away in order to keep his house pure.⁸¹ Avraham learnt from Sarah the dangers of diplomacy. Thousands of years later, Shlomo faced the same dilemma. He did not have a Sarah to guide him.

The story of Shlomo as understood by R. Shmuel bar Nahmani and R. Yonatan is one of a highly talented king who realises that he has a unique opportunity to bring God into the world. He creates numerous alliances with nations of the world and centres his power around the Mikdash. However, by juxtaposing the palace and the Mikdash, Shlomo exhibited an inappropriate degree of self-confidence. While thinking that he could influence others, he did not realise that his actions would lead to widespread avoda zara spreading throughout the land. He may not have actually built the altars, but his inaction and overriding ambition to bring God to the world at all costs, actually led to these. Morally, he was guilty even if he acted technically within the halakha.

We end this section with a quote from Yehezkel.⁸² The prophet realised the dangers in the co-location of the palace and the Mikdash.

וַיֹּאמֶר אֵלַי בֶּן אָדָם אֶת-מְקוֹם כְּסֵאֵי וְאֶת-מְקוֹם
כְּפֹת רִגְלֵי אֲשֶׁר אֲשַׁכֵּן-שָׁם בְּתוֹךְ בְּנֵי-יִשְׂרָאֵל
לְעוֹלָם וְלֹא יִטְמְאוּ עוֹד בֵּית-יִשְׂרָאֵל שֵׁם קְדוֹשֵׁי הַמָּה
וּמַלְכֵיהֶם בְּזוֹנוֹתָם וּבַפְגְּרֵי מַלְכֵיהֶם בְּמוֹתָם. בְּתֵתָם
סָפָם אֶת סָפֵי וּמְזוֹזוֹתָם אֶצְל מְזוֹזוֹתַי וְהִקִּיר בְּיַדִּי
וּבִינֵיהֶם וְטִמְאוּ אֶת שֵׁם קְדוֹשֵׁי בְּתוֹעֲבוֹתָם אֲשֶׁר עָשׂוּ
וְאֶכַל אֶתָם בְּאַפִּי.

And He said to me, Son of man, [this is] the place of My throne and [this is] the place of the soles of My feet where I shall dwell in the midst of the Children of Israel forever, and the House of Israel will no longer defile My holy Name, they and their kings with their harlotry, and with the corpses of their kings in their high places. By placing their threshold with My threshold and their doorpost beside My doorpost, and the wall [was] between Me and them, and they defiled My Holy Name with their abominations which they committed, and I destroyed them with My wrath.

God describes the mistake made in placing the royal palace and the Beit Hamikdash together.

Conclusions

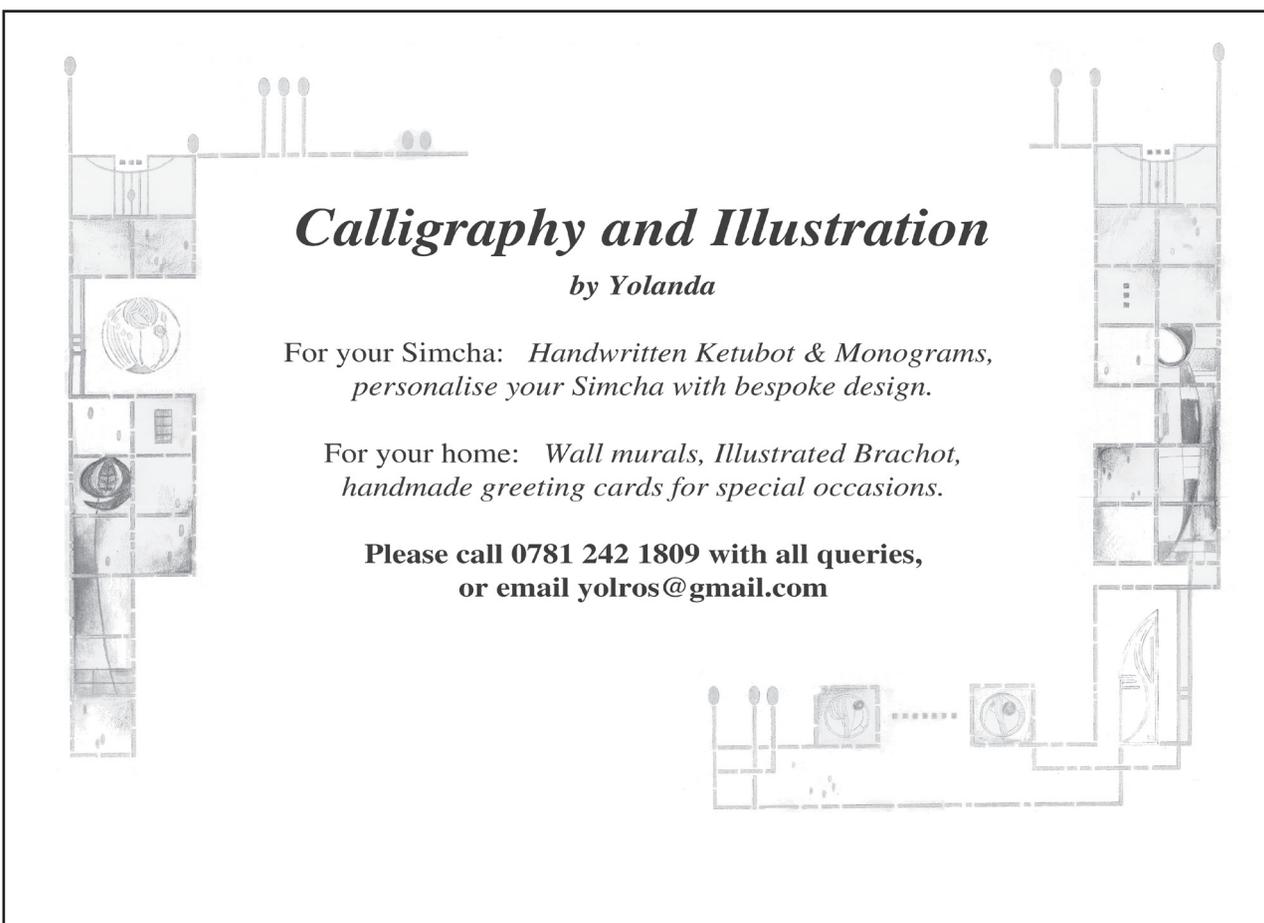
I have argued that the Gemara in Shabbat is not a piece of simplistic revisionism but an attempt to address a contradiction in the narrative. We have shown how the description of Shlomo's reign is filled with duplication and contradiction. R. Shmuel bar Nahmani and R. Yonatan

saw chapters 1-11 as one unit revolving around the Temple and the palace and understood the tensions this created as well as the consequent dangers in unbridled diplomatic activity. Ultimately, the Tanakh is very uncomfortable with the idea of a monarch. On the one hand it is mandated by God and is an essential institution to hold the people together;⁸³ however it was an institution fraught with danger. If Shlomo – the wisest of all men could not walk this tightrope, then who could?

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1. Shmuel II 11&12
2. Shabbat 56a-b presents a series of episodes in Tanakh that appear to revise the wrongdoings of an individual.
3. Shabbat 63a
4. Melakhim I 11:11
5. Melakhim II 17:15
6. Shaul is often perceived to be a failure, but hidden in Shmuel I is clear evidence to the contrary – see Shmuel I 14:47-48.
7. Shmuel II 7
8. Melakhim I 1:38
9. *ibid.* 2:5-10
10. *ibid.* 2:39-46
11. *ibid.* 3:3-4. Rashi *ad loc.* explains that this altar was originally built by Betsalel under the supervision of Moshe and therefore had special status. Yoav Barzilai has a fascinating *pshat* in which he points out that as Givon was in Binyamin's territory, the special status afforded to it by Shlomo was a means of uniting the nation given that Shaul came from Binyamin. For more detail, see his article in *Megadim* 11,73-99.
12. Melakhim I 3:6-14
13. *ibid.* 3:28
14. *ibid.* 4:20-5:1
15. *ibid.* 5:2-8
16. *ibid.* 5:9-15
17. *ibid.* 5:15-32
18. *ibid.* chapter 6
19. *ibid.* chapter 7. Rashi on 7:1 explains that this is to Shlomo's credit – that he was keener to complete the building of the Beit Hamikdash than his own house.
20. *ibid.* 8:41-43
21. *ibid.* chapter 9
22. *ibid.* 9:10-14
23. *ibid.* 10:22
24. *ibid.* 10:26-29
25. *ibid.* 11:1-3. The halakhic discussion regarding the permissibility of these relationships will be discussed later on in the article.
26. *ibid.* 12:20
27. Shabbat 56b
28. Melakhim I 11
29. Shabbat 63a
30. Melakhim II 16:4
31. *ibid.* 16:7-18
32. *ibid.* 16:2
33. Melakhim I 15:9-14
34. Midrash Tanhuma, Parashat Metsora 1
35. Melakhim II 21:16
36. see footnote 30
37. Nehemia 13:26
38. Rav Meidan elucidates his idea in several locations. Most important is his book - *David and Batsheba: The Crime, the Punishment and the Restoration*. See also his essay – 'On two Haftarot and two infertile women' in *B'Rosh HaShanah Yikkateivun – Studies on Rosh HaShanah* (Alon Shvut 2003) ed. Bazak, Ben Eliyahu, Monitz, 151-178. Also, see his article – 'Whoever says Reuben sinned...' *Megadim* 37.
39. Nedarim 32a
40. Meidan, *David and Batsheba: The Crime, the Punishment and the Restoration* 13-14
41. Rav Meidan offers an alternative suggestion that says that the *pasuk* stating that Reuven slept with Bilha was simply a rumour that Yaakov heard as opposed to an objective fact. This is in keeping with Yosef's well known tendency to gossip about his brothers. For more detail, see his article: 'Whoever says Reuben sinned...' *Megadim* 37.
42. See Shmuel II, chapters 11-12
43. See Meidan, *David and Batsheba: The Crime, the Punishment and the Restoration* for a full discussion of this point.
44. I am grateful to Rav Meidan for pointing this out to me. He also makes mention of this in his book *Hope from the Depths: A Study of the Book of Ruth* 58.
45. Rashi – Yevamot 76b
46. Tosfot *ad loc.*
47. A straightforward reading of the *pasukim* informs us that he married the daughter of Pharaoh, the people still served sacrifices on *bamot*, Shlomo offered numerous sacrifices in Givon, Shlomo requested wisdom from God and finally the case of the two harlots. The only hint of criticism is of the continued utilisation of the *bamot* which was

- completely permitted until the building of the Mikdash.
In my opinion, the Abarbanel in Melakhim I 3:1 also holds that there is no criticism of Shlomo in this chapter. In his view, the criticism only develops later. For a contrary view, see Yoav Barzilai's article: 'The Introduction to the Reign of Shlomo' – Megadim 11, 73-97.
48. Yevamot 76b
 49. This line is followed by the Radak in Melakhim I 3:1.
 50. Devarim 7:3
 51. The pasuk seems to refer exclusively to the nations living in Israel and not Egyptians – a point mentioned by the Abarbanel in Melakhim I 3:1; however, Hazal extended this principle to all non-Jews.
 52. Yevamot 76a-b
 53. Hilkhot Issurei Bia 13:14-16
 54. Rav Meidan - *Hope from the Depths: A Study of the Book of Ruth* p.59.
 55. Melakhim I 3:1
 56. See footnote 61
 57. Yerushalmi Sanhedrin: 2:6
 58. Melakhim I 8:41-43
 59. Shabbat 30a
 60. See footnote 21
 61. Rav Meidan: 'The uniqueness and purpose of the Book of Samuel in the context of the prophetic books' Megadim 1,47.
 62. Shmuel I 8
 63. See the essay of Rav Joshua Berman: 'David's request to build the Temple' – in the *Yeshivat Chovevei Torah Tanakh Companion - the book of Samuel*. 207-227. In this essay, he argues that David was ineligible to build the Mikdash because he had not established his kingdom. This explains why Shlomo built up his kingdom first before starting construction on the Mikdash.
 64. See Avigdor Shinan, Yair Zakovitch. *That's Not What The Good Book Says*, 237-245. The authors provide textual evidence from the narrative that supports this apparently strange Midrash.
 65. Melakhim I 10:13
 66. Devarim 17:16-17
 67. Devarim 17:29
 68. Sanhedrin 21b
 69. Shmuel I 15:28
 70. Melakhim I 11:11
 71. Rav Yoel Bin-Nun: 'Masa Agag - the sin of Shaul with Amalek'. Megadim 7:49-63
 72. Rav Meidan: Amalek -in *Al Derekh HaAvot* - p317-397
 73. Compare Shmuel I 15:3 to Shmuel I 22:19
 74. Midrash Zuta, Kohelet 7
 75. See: <http://www.etzion.org.il/vbm/archive/9-parsha/03noach.rtf>
 76. See Rashi, Bereshit 14:17
 77. Bereshit 13:2 for example.
 78. Shlomo is described as loved by God in Shmuel II 12:24 whereas Avraham is called God's beloved in Yishayahu 41:8. (Both times the Hebrew verb based on the root: A-H-A-V is used). The Gemara in Menahot 53b also notes that both characters are called yedid – meaning friend. Also, see Sifri Devarim 352.
 79. According to Rashi in Bereshit 16:1, Hagar was the daughter of Pharaoh.
 80. See Rashi, Bereshit 21:9
 81. Bereshit 25:1-6
 82. Yehezkel 43:7-8
 83. A reading of Sefer Shoftim leads one to this conclusion. The absence of king leads to the chaos described in the second half of the book.



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The trial of the Akeida: does God always keep His promises?

MD SPITZER

The episode of the Akeida is one of the most moving incidents in the Torah, and is considered to be the ultimate example of God testing man. Of the ten trials Avraham passed in his life, the Midrash and Rishonim write that the Akeida was the final, and by implication, the most difficult.¹ This essay discusses one understanding of the precise nature of that trial. This will lead us to examine whether God always keeps His promises, considering various incidents in the lives of Avraham, Yitshak and Yaakov.

Of the ten trials Avraham passed in his life, the Midrash and Rishonim write that the Akeida was the final, and by implication, the most difficult.

In Parashat Vayera we find the story of the banishing of Yishmael, after Sarah realised the bad influence he was exerting on the young Yitshak. On seeing the distress that Avraham suffered after banishing his son, God told him ‘whatever Sarah tells you, heed her voice, for through Yitshak, descendants will be considered yours’ (Bereshit 21:12): Yitshak will grow up and have children, and eventually they will form the Jewish people.

The next chapter in the Torah recounts the story of the Akeida, in which Avraham was commanded to sacrifice Yitshak: ‘please take your son, your only one, whom you love – Yitshak – and bring him up as an offering’ (Bereshit 22:2). Many explanations have been given as to the precise nature of that test, and what made it the outstanding example of a test. We will examine one explanation given by the commentators.

Test through contradiction

The Panim Yafot quotes the Talmud Yerushalmi (Taanit 2:4):

Rav Bibi Aba said in the name of Rav Yohanan: Avraham said before God, ‘Master of the Universe, it is clear and evident to You that at the time You told me to sacrifice my son Yitshak, I could have replied by saying, “yesterday, You told me ‘through Yitshak, descendants will be considered yours’ and now You are saying ‘offer him as a sacrifice’. Heaven forbid, I did not do so, but I suppressed my inclination and did Your will.’²

According to this view, the test of the Akeida was based on the contradiction between what God said on two different occasions. How could God command Avraham to sacrifice his son, when God had earlier said to him that Yitshak would have children who would eventually become the Jewish people? This question was undoubtedly uppermost in Avraham’s mind; the test was to see whether he would challenge God, asking Him to explain His words, or whether he would follow His instructions without questioning them.

Rashi also appears to subscribe to this explanation of the test of the Akeida. After the angel had instructed Avraham not to sacrifice his son after all, Rashi tells us what Avraham said to God (Bereshit 22:12):

Avraham said to Him, ‘I will set out my words before You. Yesterday You said to me, “through Yitshak, descendants will be considered yours”, then You retracted and said, “please take your son”,

now You are saying to me, “do not send forth your hand against the lad”?’

Only now, after passing the test, does Avraham voice his difficulty in reconciling God’s instruction to sacrifice his son with the promise that Yitshak would become one of the fathers of the Jewish people. But because he did not ask God to explain Himself before he carried out His instructions Avraham passed the test.

We have seen the importance of contradiction as the test of the Akeida, but so far only in sources giving Avraham’s perspective. It is still possible that from God’s viewpoint, the contradiction was only one element of the test, but not its essence. However from the following Rashi, we see that from God’s perspective too, contradiction was the essence of the trial. At the end of Parashat Shemot (Shemot 6:1), Rashi writes that God said, of Avraham:

‘I said to him, “through Yitshak, descendants will be considered yours” and then I said to him, “offer him as a sacrifice”, and he did not question My behaviour (literally: My attributes).’

Thus from God’s perspective too, the test was to see whether Avraham would challenge the instructions he had been given to sacrifice Yitshak, by asking what had become of the promise that Yitshak would become the father of a great nation.³

An objection: Yaakov’s fear

There is a significant problem with this interpretation of the Akeida. At the beginning of Parashat Vayetse, on his way to Lavan’s house, Yaakov fell asleep on Har Hamoria. He experienced a prophecy in which God promised him ‘I am with you, and I will guard you wherever you go, and I will return you to this land, for I will not forsake you before I have done what I have spoken to you’ (Bereishit 28:15). Afterwards, Yaakov went to Lavan’s house where he spent the next twenty years, acquiring four wives, eleven children and many possessions. On his return journey to Canaan at the beginning of Parashat Vayishlach, he is informed that his brother Esav is coming to attack him with four hundred armed men. The Torah then tells us that ‘Yaakov was very frightened and distressed’ (Bereshit 32:8) and Rashi (following the Gemara in Berakhot 4a) explains that he was frightened that he would be killed.

The Gemara there asks, if God had promised him that He would guard him until he returned to the land, why was Yaakov frightened of being killed? Did Yaakov not believe in the promise? The Gemara answers that of course Yaakov believed in the promise, but he understood that God’s word was conditional upon him maintaining his spiritual level. It would no longer apply if he had sinned. Yaakov was worried because he might have sinned, thereby forfeiting the promise God had made to guard him.

Based on this Gemara we can ask a question on our interpretation of the Akeida. We have explained that Avraham’s test was not to ask God about the promise He had made, that Yitshak would be his heir. But according to the Gemara in Berakhot, there is a simple answer: that promise was made approximately thirty five years earlier; in those thirty five years it was quite possible that he might have committed a sin which would have caused him to forfeit the promise.⁴ What then was the test of the Akeida?⁵

We shall attempt to answer this question at the end of this essay, but first we must examine the view of the Rambam.

Who is a true prophet? The view of the Rambam

It is one of the fundamental principles of the Torah that God can communicate to humans through the medium of prophecy. Both in Hilkhhot Yesodei Hatorah (Chapters 7-10) and in his *Introduction to the Commentary to the Mishna*, the Rambam discusses this principle and asks

It is one of the fundamental principles of the Torah that God can communicate to humans through the medium of prophecy.

how we can tell if a prophet is actually a real prophet or is only pretending to be one.⁶

The first condition laid down by the Rambam is that he must be of appropriate character – intellectually outstanding, exceedingly self-controlled, never giving in to temptation – and must have prepared himself for prophecy by being constantly immersed in the study of Torah and the workings of Heaven. The second condition is that he

must pass certain tests. These consist of him predicting future events down to the finest detail with absolute accuracy. (He is thereby distinguished from astrologers and fortune-tellers who may be able to predict future happenings but not with complete accuracy. If any detail happens differently to the prediction, this proves that he is a false prophet.) And his predictions must come true many times before it is established that he is a true prophet.

However, the future events that the prophet predicts must be good ones. If the prophet predicts calamities and they do not happen, it is no proof that he is a false prophet, for the people might have repented and no longer deserve the calamity. The prophet must predict that good events will occur, and if he is a real prophet they will. And even if the people no longer deserve it, the good event must still occur; for if not, there would be no way of establishing the prophet's veracity (for if the prediction failed to come true it could always be justified by saying that it was no longer deserved). In summary: *good events predicted by a prophet will always occur, even if they are no longer deserved.*

How can we reconcile this principle with the Gemara quoted earlier, which stated that that a promise received from God (like the one made to Yaakov) need not necessarily come true, if the person in receipt of the promise has sinned and is no longer deserving?

The Rambam answers this point by distinguishing between something promised to a prophet which is not for public knowledge, and something promised to a prophet which is intended to be told to other people. If it is to be kept private, the prophet's reputation is not at stake, so no damage will be done if the promise does not come true. This was the case with the prophecy to Yaakov: since it was only to him and not shared with others, it might not be kept, if Yaakov had sinned and no longer deserved it.

However a promise made to a prophet and then told to others must always come true, for now the prophet's reputation is at stake: if his prediction does not come true, he will appear to be a false prophet! A prediction of a good event told to others will always come true whether or not it is deserved.⁷

This distinction is illustrated in the following incident in the Torah. At the end of Parashat Balak, the people were enticed to sin by the Midianite women, and were punished by a plague in which twenty four thousand people died. The plague was stopped when Pinhas killed Zimri, leader of the tribe of Shimon, and Kozbi, the Midianite princess.



Avraham entertaining the angels by Rembrandt
Then God told Moshe that as a reward, Pinhas and his descendants would be granted the priesthood.

The Meshekh Hokhma asks: why did God *tell Moshe* to tell Pinchas of his reward, instead of telling Pinchas directly?⁸ He answers using the distinction made by the Rambam. Had God told Pinhas directly, it would have been possible for the reward to later have been lost, had Pinhas or his descendants sinned and no longer been worthy of the priesthood. In order to avoid this possibility, God told Moshe to tell Pinhas; the promise thus entered the category of a prophecy told to another, which can never be rescinded even if the recipient is no longer deserving.⁹

The distinction of the Rambam (between a promise made privately to a prophet and one made known to the public by a prophet) is critical to understanding the test of the Akeida, and various other events in the Torah which we will shortly examine. But first we must examine another circumstance in which a promise from God must always come true, set out by the Ramban.

God's promises: the view of the Ramban

In Parashat Lekh Lekha (Bereshit 15:7) God appeared to Avraham and promised him the Land of Canaan. Avraham replied by asking 'how do I know I will inherit it?' At first glance, this question seems most surprising. Does Avraham doubt God's word? Does he really have the nerve to ask God Himself, 'how do I know?'

In his commentary to the Torah, the Ramban explains that we have misunderstood Avraham's question. God prom-

Promises from God are not absolute – they can be forfeited if the recipient has sinned and is no longer deserving.

ised Avraham the Land, but (as we have already seen from the Gemara), promises from God are not absolute – they can be forfeited if the recipient has sinned and is no longer deserving. This is Avraham's question: 'How do I know I will definitely inherit the Land? Maybe I or my descendants will sin and the promise will no longer be valid?'

In reply to this question, God made a covenant with Avraham, the *brit bein habetarim*. Once God has made a covenant with a promise, says the Ramban, the promise will definitely come true.¹⁰

To summarise: although the Gemara says that a promise to a prophet does not have to come true (i.e. when the recipient is no longer deserving), we have now seen that there are two circumstances in which it must always come true: first, according to the Ramban, if the promise was told to other people; and secondly, in the view of the Ramban, if the promise was made with a covenant.

We will now use the Ramban's principle to examine some other events in the Torah, as understood by the Meshekh Hokhma.¹¹

Yitshak and Rivka

At the beginning of Parashat Toldot, we are told that the childless Yitshak and Rivka were praying for children. The Torah says that Yitshak prayed to God 'lenokhah ishto', which Rashi understands to mean 'opposite his wife'. However, the Meshekh Hokhma translates this as 'Yitshak prayed to God *concerning* his wife'. Why did Yitshak pray only for Rivka and not for himself too? The answer is that Yitshak was not worried about himself. He knew that he would have children: after all, God had promised Avraham that He would build the Jewish people through Yitshak. And according to the Ramban's principle, the promise had to come true, because it had been told to Sarah (at the beginning of Parashat Vayera) and had therefore become public. But Yitshak did not know that he would have children *through* Rivka, so he prayed that Rivka would have children.

Later in Parashat Toldot (Bereshit chapter 26), Yitshak and Rivka go to Gerar where they encounter Avimelekh, King of the Pelishtim. Yitshak is afraid that if he is known to be the husband of the beautiful Rivka, he will be killed, so he tells people that she is his sister. But why was Yitshak afraid he would be killed? Surely his safety was assured, for he was the continuation of Avraham's legacy – the promise God made to Avraham had to come true, since it was known to others! However, the explanation is simple: by that time, Yitshak and Rivka already had children. Now Yitshak's safety was not guaranteed, for the promise could now be fulfilled through his sons. That is why Yitshak was afraid in this situation but not in the earlier one.

Avraham and Sarah

In Parashat Vayera (Bereishit chapter 20), a very similar incident occurred when Avraham and Sarah met Avimelekh. Then too, Avraham was afraid he would be killed and told people that Sarah was not his wife but his sister. But why was Avraham afraid? He had not yet had children, so the promise had not yet been fulfilled; he should have been assured of his safety. Here too the explanation is simple. Although Avraham had indeed been promised that Yitshak would be his heir, he had not yet relayed that promise to anyone else. (Sarah knew from the angels, but had not yet heard it from Avraham.) The promise did not necessarily have to come true: Avraham might have sinned and no longer been deserving. That is why Avraham was afraid of being killed.

At the beginning of Parashat Vayera three angels appear to Avraham and Sarah, and one of them informs Sarah that she will have a son. Sarah's response is to laugh. Avraham is then asked why Sarah laughed, an implied criticism of her for laughing. This incident stands in contrast to when Avraham is told he will have a son (Parashat Lekh Lekha, Bereishit 17:17), – there, Avraham laughed too, but is not criticised for it. What was the difference between Avraham's and Sarah's laughter?

The Meshekh Hokhma explains that when Avraham laughed, it reflected the fact that the promise might not necessarily come true. God had promised him a son, but conditional upon Avraham continuing to live up to his high spiritual standards; a sin in the future might lead to him forfeiting the promise. Soon afterwards, Avraham told Sarah that she was going to have a son. Once Avraham had told Sarah, the promise had to come true, so when Sarah subsequently heard from the angel that she was going to have a son, she had no right to laugh.

God had promised him a son, but conditional upon Avraham continuing to live up to his high spiritual standards; a sin in the future might lead to him forfeiting the promise.

At this point it is important to note a contradiction in the Meshekh Hokhma over whether Avraham informed Sarah that she would have a son. When discussing the incident with Avimelekh, he assumes that Avraham *had not* told Sarah, but when he discusses the visit of the angels, he writes that Avraham *had* told her. In fact, this is the subject of a dispute in the Rishonim. The Ramban holds that Avraham told Sarah she would have a son; this is disputed by the Abarbanel, who maintains that Avraham did not inform Sarah.¹²

Using ideas from Abarbanel and Ramban to understand the Akeida

We can now turn to resolve our original question. According to Rashi, the test Avraham faced was whether, when told to sacrifice his son, he would challenge God by saying that He had promised him that Yitshak would inherit him. But how can this be considered a test, for Avraham could easily have answered his own question by assuming that he had sinned and thereby forfeited the promise?

To resolve this problem we need to find a reason why God's promise to Avraham had to come true under all circumstances. Let us first take the position of the Abarbanel, who holds that Avraham told Sarah that she was going to have a child. According to the Rambam's principle, once a prophet has told other people of his prophecy, it must always come true. Since Avraham had told Sarah she would have a son, there was no possibility that sinning would cause Avraham to forfeit that promise. So Avraham could not have resolved his question; God's promise still stood. Hence when commanded to sacrifice his son, Avraham was faced with the challenge of how to resolve that command with the promise that Yitshak would inherit him.

However, this answer cannot be reconciled with the view

of the Ramban, who holds that Avraham did not tell Sarah immediately of the promise he was given. Can we solve our problem if we follow this view of the Ramban? Let us suggest two approaches. First, although Avraham did not immediately tell Sarah about the promise that Yitshak would become the father of the Jewish people, it is likely that he did in fact tell her in the intervening thirty eight years between the announcement of Yitshak's birth and the story of the Akeida. And again, once Sarah had been told, the promise had to come true.

An alternative answer invokes Ramban's own opinion that a promise given to a prophet *with a covenant* will never be withdrawn. There is in fact a covenant in our story too. Just before God promised Avraham that Yitshak would inherit him, He gave Avraham the mitsva of mila; and then He said (Bereishit 17:12) 'My covenant, I will uphold with Yitshak'. The covenant of mila was in effect a covenant that Yitshak would be the continuation of the Jewish people. Once a covenant was made, in the view of the Ramban, the promise could not be rescinded, and had to come true under all circumstances. (We will soon see that Rashi himself may actually allude to this answer.)

We can now understand why Avraham did not resolve his doubts about the promise by supposing that he had forfeited it due to sin. The test of the Akeida remains: would Avraham challenge the instruction to sacrifice Yitshak, by asking God about the promise?

The contradiction resolved

Avraham passed the test: he took up the knife without asking God to explain His words. He was then told by the angel not to sacrifice his son, and Avraham still did not know what to do. As we saw at the start of this essay, Rashi tells us of the conversation that then occurred between Avraham and God (Bereishit 22:12):

Avraham said to Him, 'I will set out my words before You. Yesterday You said to me, "through Yitshak, descendants will be considered yours", then You retracted and said, "please take your son", now You are saying to me, "do not send forth your hand against the lad"?'

What should Avraham do? Whatever he does, something that God said will be impossible will take place! Continues Rashi:

God said to him, 'I will not profane My covenant and I will not change the utterances of My mouth. When I told you to take him – I will not change the words of My mouth – I did not say "sacrifice him" but "offer him up" – take him up, and then take him down!'¹³

Now all of Avraham's questions are resolved.

Does the Midrash answer our question?

The final answer proposed above is based on the view of the Ramban. Why did Avraham not just explain away his question (how could God tell him to sacrifice Yitshak, if He had promised that Yitshak would inherit him?) by supposing that he had sinned and was no longer deserving of that promise? It is possible – invoking the principle of the Ramban – that since the promise was later reinforced with a covenant, it had to come true under all circumstances.

...the promise was given with a covenant, and therefore had to come true.

The Lubavitcher Rebbe in his sefer *Biurim Lepeirush Rashi al Hatorah*, suggested that in fact, Rashi himself held this view. He brilliantly points out a subtle reference to this answer in the words of the Midrash quoted by Rashi, in the piece we have just seen. The Midrash in Bereishit Rabba records that God expressed Himself using a pasuk in Tehillim (89:35): 'I will not profane My covenant and I will not change the utterances of My mouth'. But why did God not simply quote the end of the pasuk, 'I will not change the utterances of My mouth'? Why does the Midrash say that God added, 'I will not profane My covenant'?

Perhaps the Midrash, and then Rashi, had in mind our original difficulty. After passing the test, Avraham was now finally asking God to explain His words. But again: why did Avraham not just explain away his question by thinking that he had probably sinned and was no longer worthy of the promise? God gives him a clue to the answer: 'I will not profane My covenant', the promise was given with a covenant, and therefore had to come true. Having explained the circumstances in which a promise

made to a prophet must always come true, we can see how the Akeida retains its place as the ultimate expression of man's obedience to God.

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1. Pirkei DeRabbi Eliezer (Chapter 31), Rashi and Rambam (Avot 5:3)
2. Panim Yafot was written by Rabbi Pinchas Halevi Horowitz (1730-1805), Talmudist, posek, Hassid and Rabbi of Frankfurt.
3. According to this explanation, the trial of the Akeida is unique because it involved an apparent contradiction in what God said. Some other interpretations of the test of the Akeida focus on the emotional aspects (how could Avraham possibly sacrifice his own son?) or the impact the sacrifice would have on Avraham's life's work until now (how could Avraham, who preached against human sacrifice, perform it on his own son?). Indeed, some of Rashi's other comments imply that he held there were other aspects to the test: for example, in 22:1 he implies that the test was on an emotional level ('If I would ask him to sacrifice his son, he would not hesitate'). It is entirely possible that Rashi held that Avraham was being tested in more than one dimension. But whilst these other aspects of the trial cannot be denied, they do not appear to be as difficult for Avraham to pass, for they do not present him with a theological challenge. After all, it was God Himself telling Avraham to sacrifice his son – who would not follow a command, however difficult, they receive directly from God? However, according to the interpretation of the Yerushalmi and Rashi, Avraham was faced by a theological crisis: the God he believed in, and to whose service he dedicated his life, now seemed to be unreliable and contradictory. What should Avraham make of the promise that Yitshak's descendants would become the Jewish people?
4. According to Rashi (23:3), Yitshak was thirty seven years old at the time of the Akeida (we are told explicitly that Sarah was ninety when she gave birth to him, and Rashi holds that she died when she heard about the Akeida at the age of one hundred and twenty seven). The promise was made to Avraham soon after Yitshak was weaned at the age

- of two, or according to others on the day of his brit mila. In another context (15:2) Ramban speculates that this sin was that Avraham may have killed people without justification when he entered the war of the five kings and the four kings in Parashat Lekh Lekha. It is not strictly necessary to identify a specific sin though, for as long as Avraham was worried that he might have sinned, he would have a solution to the difficulty that troubled him.
5. As pointed out above, we are only examining the particular dimension of the trial focused on by the Yerushalmi and Rashi: the other aspects of the trial would of course still exist.
 6. The halakhic ramification is stark: if a prophet is found to be a fraud he is sentenced with the death penalty, whereas in contrast, once a prophet is established as a true prophet, one who disobeys him is liable to death at the hands of Heaven – see Rambam Hilkhhot Yesodei Hatorah 9:1-2.
 7. The Rambam makes this distinction in his Introduction to the Commentary on the Mishna but not in Mishneh Torah. (Interestingly, Rabbi Eliyahu Mizrahi in his commentary to Rashi (Bereshit 32:8) quotes the Rambam in Mishneh Torah, asks the question from the Gemara and then makes the distinction himself; it seems that he did not see the Rambam's Introduction to the Commentary on the Mishna where the Rambam himself pre-empted his question and answer.)
 8. Bamidbar 25:12-13. The sefer Meshekh Hokhma is a popular commentary on the Torah by Rabbi Meir Simha Hacohen of Dvinsk (1843-1926). Although sometimes written in a difficult style, it has been made more accessible in the edition published with annotations by Rabbi Yehudah Copperman, founder and dean of the Michlalah Jerusalem College for Women.
 9. This explanation assumes that the distinction of the Rambam must hold true for Moshe Rabbeinu. This is however a subject of dispute. Rabbi Yehezkel Landau of Prague (1713-1793), on Berakhot 4a, writes that because God had spoken to Moshe at Mount Sinai in the presence of all Israel, there was no possibility that they could deny his status as a prophet; thus proclamations made by Moshe did not necessarily have to come true. Conversely, the Meshekh Hokhma quoted here clearly holds that Moshe's promises (for good, at least) did have to come true. Elsewhere (Bamidbar 14:39), he extends his position to oppose exactly R. Landau's: even Moshe's prophecies that foretold bad events had to come true, since Moshe's role as God's conduit for giving the Torah meant that it was essential that no one had even the slightest reason to doubt his veracity.
 10. This Ramban is somewhat difficult in light of Ramban's own comments on the previous pasuk (15:6) where he explains that Avraham had similar doubts regarding whether or not he would have children, and was reassured merely by God saying 'that which comes from you will inherit you,' without the added guarantee of a covenant. (See also Ramban to 22:16 which compounds the difficulty.)
 11. We have already seen the Meshekh Hokhma use the Rambam's principle to explain an element of the story of Pinhas; in fact, the Meshekh Hokhma explains events using this principle in a number of places in his sefer. Here we will take just two examples, his commentary to Bereshit 25:21 and 18:13, explaining events that occurred to the Avot. That the Rambam's principle can be applied to the Avot (as the Meshekh Hokhma understands) is not unanimously accepted. The opinion of the Ran (Drashot HaRan, Drush 2) is that the principle of the Rambam does not apply to the Avot. This is because the whole basis of the Rambam's principle that when a prophet makes a prediction to others it must come true, is in order to establish the prophet's veracity and uphold his reputation. The Avot were different to other, later prophets, for there was no commandment to listen to their instructions. There was therefore no need for them to have to prove their veracity; consequently, their promises did not have to come true under all circumstances.
 12. The Ramban writes that Avraham did not tell her the news either because he realised God did not want Sarah to know yet, or because he was too busy performing the mitsva of mila. (This second suggestion is remarkable because (at least according to Rashi 18:1) the angels came on the third day after the mila! It would seem that the Ramban holds that they came much sooner after the mila than that.) By contrast, Abarbanel holds that Avraham did tell Sarah immediately, because the news came in the very same prophecy as the instruction to change her name from Sarai to Sarah (Bereshit 17:15-16). As Avraham would have to tell his wife about her change of name it would make sense to say he was also to tell her they would have a son.
 13. Rashi makes the same point at the beginning of the story (22:2), to explain why God told Avraham to 'offer him up' instead of to 'sacrifice him'. (As to why 'sacrifice him' would have been a preferable expression, see the explanations given by the commentaries Maskil Ledavid and Be'er Basade on Rashi.)

Hatsi shiur assur min hatorah

JOSH SAMAD

Many Torah commandments and injunctions are defined by a particular quantitative measure (the shiur) through which the mitzva or transgression is established. For example, the prohibition of eating on Yom Kippur is transgressed only when an amount equal to a kekotevet hagasa (a plump date) has been consumed.¹ Hazal established a principle, rooted in the written Torah, that *hatsi shiur assur min hatorah*, less than the amount required to establish the transgression is also forbidden by the Torah. This prevents an individual from consuming even a small amount of a forbidden substance or beginning a prohibited act that might result in transgressing a Torah law. This article will address some of the key issues associated with this concept and the practical ramifications that follow from it.

Hazal established a principle, rooted in the written Torah, that hatsi shiur assur min hatorah, less than the amount required to establish the transgression is also forbidden by the Torah.

The source for hatsi shiur assur min hatorah draws on a pasuk in Vayikra, 7:23:

דַּבֵּר אֶל-בְּנֵי יִשְׂרָאֵל, לֵאמֹר: כָּל-חֶלֶב שׁוֹר וְכֶשֶׂב, וְעִזִּי--
לֹא תֹאכְלוּ.

Speak to the Children of Israel: Any fat of ox, sheep and goat you shall not eat.

Here the Torah clearly forbids any Jew from eating the fat of those animals. The Gemara in Pesachim 23a and 23b clarifies that in order to transgress this prohibition of eating the fat of an animal, a quantity in excess of a kezayit (the size of an olive) must be consumed.

Based on this verse, the Gemara in Yoma (74a) presents a makhloket between Reish Lakish and Rav Yohanan:

גּוֹפֵא חֲצִי שִׁיעוֹר רַבִּי יוֹחֲנָן אָמַר אֲסוּר מִן הַתּוֹרָה רִישׁ
לְקִישׁ אָמַר מוֹתֵר מִן הַתּוֹרָה

The text itself said: regarding a smaller measure [than a kezayit] of prohibited food. Rabbi Yohanan said it is Biblically prohibited; Reish Lakish said it is Biblically permitted.

The Gemara here seeks to clarify the law regarding one who consumes less than a kezayit of fat. Does he transgress a Torah commandment through the consumption of this smaller amount, or is the consumption of hatsi shiur in fact permitted on a d'oraita (Biblical) level, and forbidden only on a d'rabbanan (Rabbinic) level? Rav Yohanan seems to hold that the consumption of even the smallest amount of fat is Biblically prohibited (although not punishable by karet [heavenly excommunication] as would be the case if one ate a full shiur). On the other hand Reish Lakish holds that the partaking of hatsi shiur is in fact permissible on a d'oraita level, yet the Sages decreed such an act forbidden.

The Gemara proceeds to explain the logic underpinning the conflicting opinions:

רַבִּי יוֹחֲנָן אָמַר אֲסוּר מִן הַתּוֹרָה כִּיּוֹן דְּחֲזִי לְאַיְצְטְרוּפִי
אִיסוּרָא קָא אַכִּיל רִישׁ לְקִישׁ אָמַר מוֹתֵר מִן הַתּוֹרָה
אַכִּילָה אָמַר רַחֲמֵנָא וְלִיכָא

According to ben Zoma there is a Biblical obligation to remember the Exodus from Egypt at night.

Rabbi Yohanan says it is Biblically prohibited. Since the half measure he now eats is fit to combine with more of the forbidden food to complete the prescribed measure, he is eating a prohibited food. Reish Lakish says it is Biblically permitted, for the Torah states 'eating' and consuming a smaller measure is not defined as 'eating'.

Rav Yohanan is concerned that if one were to partake first of less than a kezayit of fat, one might later eat some more fat, at which point one would have eaten a whole kezayit, thereby transgressing the Biblical prohibition. (The potential to achieve the full measurement through the combination of two smaller measures is referred to as hazye l'itsterufei.) Therefore the Torah prohibits the consumption of even a hatsi shiur to mitigate against the risk of hazye l'itsterufei. Reish Lakish on the other hand reads the text literally. The Torah says 'you must not eat', where the halakhic definition of eating is in excess of a kezayit. If less than a kezayit was eaten then no prohibition has been transgressed. The principle of hatsi shiur assur min hatorah therefore only applies on a Rabbinic level. The Rambam in Ma'akhalei Assurot 1:13 rules like Rav Yohanan as does the Shulhan Arukh.²

The conclusion that hatsi shiur is only prohibited because it might lead to the consumption of a full shiur is intuitively difficult to understand.

The nature of the issur

The conclusion that hatsi shiur is only prohibited because it might lead to the consumption of a full shiur is intuitively difficult to understand. After all, if a food is prohibited it follows that there should be something inherently wrong with it. It may be that punishment, or a certain type of punishment, only follows when a certain amount is eaten, but the food should be prohibited in any amount, and not because more might be consumed. This

was the position of R. Shmuel Shatzkes quoted by Rav Aharon Lichtenstein.³

If this is true there would be halakhic ramifications. The obvious nafka mina (practical difference) arises if there is no possibility of completing the prescribed measurement of forbidden food after consuming a half measure, i.e. the concern of hazye l'itsterufei does not exist. If one holds that hatsi shiur is assur because of the intrinsic nature of the object of the issur, then a prohibition has been transgressed, albeit not punishable to the same extent as when one has completed a full shiur. However, if the prohibition of consuming a partial shiur emanates solely from the concern of hazye l'itsterufei, then in this scenario the prohibition would not apply. Further insights into this question can be derived from the case of hamets on Pesah.

Hamets

The Rambam (Hilkhhot hamets u'matsa 1:7) rules that if a person eats even the smallest amount of hamets on Pesah then he has transgressed a Torah prohibition, as the Torah says 'you shall not eat hamets' (Shemot 12:4):

האוכל מן החמץ עצמו בפסח, כל שהוא--הרי זה אסור מן התורה, שנאמר "לא יאכל, חמץ". ואף על פי כן אינו חייב כרת או קרבן, אלא על כשיעור שהוא כזית; והאוכל פחות מכזית במזיד, מכין אותו מכת מרדות.

One who eats even a minute amount of hamets on Pesah, has transgressed the Biblical command 'hamets shall not be eaten'. However, he is not liable to excommunication or to bring a sacrifice unless he ate the measurement of a kezayit. And if one ate less than a kezayit intentionally he receives lashes.

Many commentators on the Rambam (Kesef Mishna, Rabeinu Manoah, Mishna Lamelekh, Magid Mishna) raise the obvious question : why do we need a pasuk to teach us that if a person eats even the smallest amount of hamets they have transgressed a Torah prohibition? The Rambam has previously ruled that hatsi shiur assur min hatorah and therefore we should not require a pasuk to derive the prohibition of eating less than a kezayit of hamets.

One answer to this question is offered by R Yehezkel Landau of Prague in *Noda Beyehuda* (Orakh Hayim 53). He argues that since people are so accustomed to

The Hahamim and ben Zoma agree that there is a Biblical obligation at night but they differ on the source of the obligation.

eating hamets throughout the year, the Torah has to state explicitly that even the smallest amount is prohibited, hence the pasuk which states ‘hamets shall not be eaten’. The pasuk acts as a reinforcement of the principle of hatsi shiur assur min hatorah.

R Landau in *Tsion lenefesh hayya (Tselah)* (Pesachim 44a) suggests a novel answer which expounds on the nature of hatsi shiur assur min hatorah. He argues that if one would eat less than a shiur of hamets immediately before the conclusion of Yom Tov, (i.e. when there is no possibility of hazye l’itsterufei) then no issur will have been transgressed. However the verse ‘hamets shall not be eaten’ includes this scenario, making it forbidden to eat a small amount of hamets even when it is impossible to complete the full shiur.

We can see from here that R Landau holds generally that the issur of hatsi shiur is due to the concern that one might complete the shiur and transgress a Torah commandment. Therefore in any other case, if it would be impossible to complete the shiur, there would be no problem in consuming part of the shiur. It is only in the example of hamets where the Torah says ‘hamets shall not be eaten’ that we prohibit the consumption of a hatsi shiur even if there is no possibility of hazye l’itsterufei.

This fits neatly with the view of R. Yohanan, codified by the Rambam, and contrary to what might be our intuitive opinion, that (apart from hamets) there is nothing inherently objectionable in an amount less than the proscribed shiur of a forbidden food.

Oaths

A further application of the principle of hazye l’itsterufei is found in the Mishna in Shavuot (19b) which discusses a case where someone made a shevua (oath) that ‘this food is forbidden to me’, yet they proceeded to eat a minimal amount (less than a kezayit). Rabbi Akiva holds that eating even kol shehu (small amount) makes one liable, whereas



R. Yehezkel Landau

the Rabbis hold that one has only broken the shevua if a full kezayit was eaten.

The Ran offers an explanation of the view of the Rabbis.⁴ The person who made the vow only intended to make forbidden to himself from a kezayit or more of the food in question. Thus, he cannot break the oath by eating less than a kezayit. Therefore although the Rabbis do hold that hatsi shiur assur min hatorah, it is not applicable in this case. Rabbi Akiva on the other hand holds that hatsi shiur is applicable in this case, because he is concerned by hazye l’itsterufei.⁵ Either way, we still have no support for the idea that there is something inherently objectionable in an amount of a forbidden food below the relevant shiur.

Rav Asher Weiss in his sefer *Minhat Asher* (Vayikra) suggests that even when hazye l’itsterufei is not possible, hatsi shiur assur min hatorah still applies, as Hazal were concerned that people would become lax in distancing themselves from forbidden items. Of course, this argument is also based on a concern about what might happen, rather than about the act of consuming hatsi shiur itself.

Hatsi shiur of an action

Thus far we have discussed the operation of hatsi shiur assur min hatorah within situations where the issur is placed upon an item (heftsa). In these cases the item itself is forbidden and the quantity consumed defines the prohibition. In contrast, there are prohibitions that are imposed on the individual, whose definition comprises a prescribed stage in the completion of an action. For example, one is generally permitted to cook a piece of chicken, assuming that it is kosher, without incurring any violation. However if one cooks on Shabbat, one has transgressed the melakha of bishul (cooking) and would be liable to skila (stoning). The injunction in this case is defined by ma’akhal ben drusai (a third cooked).⁶ There is no fundamental problem with the heftsa in this case, but

rather the human action is the cause of the violation.

In the context of our discussion, it must be determined whether a partial action which is forbidden triggers the prohibition of hatsi shiur assur min hatorah. In our scenario, if one cooks a chicken on Shabbat less than to the extent of ma'akhal ben drusai, has the melakha of bishul been transgressed, on the basis that hatsi shiur assur min hatorah, or is this concept irrelevant in the case of human actions?

...it must be determined whether a partial action which is forbidden triggers the prohibition of hatsi shiur assur min hatorah.

The Aharonim bring examples of forbidden actions which are prohibited even if only partially performed due to hatsi shiur assur min hatorah, as there is the potential for hazye l'itsterufei. Rav Asher Weiss in *Minhat Asher* on Vayikra lists a few examples:

The Nishmat Adam writes in *Hilkhos Shabbat* 21:3, that if one started cutting one's nails on Shabbat one has already transgressed a Biblical prohibition, even though the nail is still attached to the body and has not been fully removed.

The Ezer Mekudash in *Even Haezer* (towards the end of note 20) believes that even according to the Ramban, who holds that there is no Biblical prohibition on a man to prevent him coming into physical contact with a woman, there is nevertheless a prohibition on the basis of hatsi shiur assur min hatorah.

The rationale behind the above examples is that the initial stage of an action, whose natural conclusion is a violation, is subject to the concern of hazye l'itsterufei and the prohibition of hatsi shiur. Therefore if one starts cutting a nail but does not complete the action, one has still committed a Biblical prohibition.

Is hatsi shiur assur min hatorah relevant to a positive commandment?

Thus far we have explored the principle of hatsi shiur assur min hatorah in relation to the category of prohibited items or actions. Some argue that this principle can be

extended to positive commandments as well. In the same way as the performance of less than a full measurement of a prohibition is assur, so too, the partial fulfilment of a positive commandment results in a mitsva being accomplished, at least to some extent.

The Gemara in *Succa* (27a-b) presents a makhloket between Rabbi Eliezer and the Sages:

רבי אליעזר אומר ארבע עשרה סעודות חייב אדם לאכול בסוכה אחת ביום ואחת בלילה וחכ"א אין לדבר קצבה חוץ מלילי יו"ט ראשון של חג בלבד

Rabbi Eliezer said: A person is obliged to eat fourteen meals in the succa, one in the day and one in the night [for all seven days of yom tov]. The Sages say the matter is not fixed, rather one is obliged to eat in the succa only on the first night.

At a superficial glance it appears that Rabbi Eliezer and the Sages are arguing on how far the obligation of eating in the succa extends. However, it seems strange that the Sages hold that one night would suffice when the Torah says (*Vayikra* 23:42) 'you shall dwell in succot for seven days.' Therefore one may understand the makhloket differently. Perhaps the Sages believe that one has to eat all meals in the succa throughout Succot, however they hold that the principle of hatsi shiur assur min hatorah applies to positive commandments as well. By eating in the succa on the first day of Succot one has fulfilled a mitsva to some extent even if one does not return to the succa for meals on the following days.

Rabbi Eliezer, on the other hand, does not apply hatsi shiur assur min hatorah to positive commandments and therefore holds that one has not fulfilled the commandment of eating in the succa if one only eats one meal, but rather every meal must be eaten in the succa (unless this causes distress).

There are examples of when partial fulfilment amounts to nothing at all, and when it does count to some extent. If one takes arba minim with only one hadas (myrtle leaf), or if one put tsitsit on three corners of a garment, one has not fulfilled the relevant mitsva. One could in fact argue further, and suggest that what partial fulfilment amounts to is not somewhat positive, but wholly negative, because it could mislead people as to how the mitsva should be performed. On the other hand, there are discussions amongst the Aharonim about certain positive commandments that do

generate some form of mitsva even if they were not fully carried out. For example, if one ate less than a kezayit of matsa, it is argued by some that although the complete obligation of eating matsa has not been met, a mitsva of some form has been established.

Conclusion

We have examined whether hatsi shiur assur min hatorah should be viewed as a safety net to prevent a fully prohibited amount from being consumed, or whether there is a fundamental problem with even partly performing a punishable transgression. One could understand that a forbidden item is fundamentally flawed and that this is the reason why even a hatsi shiur is prohibited. This view has been held by significant talmidei hahamim, although it is difficult to establish this idea from the sources we have reviewed. Furthermore, this case is more difficult to make concerning the partial performance of a forbidden action (e.g. cutting half a nail on Shabbat). In such cases it seems more logical to attribute the prohibition of hatsi shiur to the concern that one might complete the full shiur and transgress a Torah commandment.

It seems more logical to attribute the prohibition of hatsi shiur to the concern that one might complete the full shiur and transgress a Torah commandment.

On a philosophical level, the Maharal in *Netsah Yisrael* (Chapter 11) comments that Am Yisrael cannot exist as an entity without the Torah and the Torah could not reside in this world without Am Yisrael. As the Torah is shalem (complete and perfect) in every sense, it follows that for the Jewish people to be a suitable partner, and indeed to keep the world in existence, they must strive to be complete in their Torah observance at every opportunity. The Maharal also explains that God chose Am Yisrael 'be'etsem' (due to their inherent qualities), which made us worthy of the assurance 'you are God's children' (Devarim 14:1). Therefore just as God is complete in all his ways, the nation that He chose could

not be lacking in anything.

Therefore our destiny as a nation is to be complete, just like God and the Torah. It could be that through the halakhot of hatsi shiur assur min hatorah, we are being distanced from forbidden items or actions in order to maintain the state of shelemut it is fit for us to maintain as a people.

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1. Mishna Yoma 8:1
2. Tur Shulhan Arukh 80:6
3. www.vbm-torah.org/archive/asara61.htm
4. Shavuot 21a
5. Rashi here explains that Rabbi Akiva holds that the person who made the oath is liable, not because of the action of eating a hatsi shiur, but rather because he went back on his word (transgressed his shevua). According to this there is no issue of hazye l'itsterufe in this case.
6. Ben Drusai was a bandit who was unable to wait for his food to be fully cooked before pursuing his illegal activities. Therefore he ate food only a third cooked, which demonstrates that is the minimal amount to make it edible.

Vegetarianism and animal rights in Judaism

ALEX HAMILTON

There are a growing number of Jewish vegetarians who argue that vegetarianism is a Torah ideal to which we should all aspire, some go further to suggest (tentatively) that vegetarianism in the twenty first century may in fact be a Torah mandate.¹ This article will analyse relevant sources to see if they support these claims.²

Within Orthodox Judaism there has been an increasing number of observant vegetarians and a number of prominent vegetarian rabbis over the past century

Vegetarianism is by no means a new phenomenon. Pythagoras and Socrates were vocal vegetarians and as early as the sixth century BCE vegetarianism was commonplace in India.³ Today vegetarianism has grown into a popular life choice and a major ideology; 20% of American college students are vegetarians and over 2000 Britons become vegetarians every week.⁴ Within Orthodox Judaism there has been an increasing number of observant vegetarians and a number of prominent vegetarian rabbis over the past century including R. Shlomo Goren a Chief Rabbi of Israel and R. S F Mendlowitz who famously renounced eating meat after the Holocaust saying, 'there has been enough killing in the world.'⁵

It is important to acknowledge that the term 'vegetarianism' encompass a variety of different diets and can result from a wide range of diverse philosophies. For the purpose of this article it is useful to consider three distinct forms of vegetarianism:

1. Not eating meat because it is unpleasant to eat, this includes abstaining from meat because of its taste or because of the notion of eating an animal. Importantly this does not project an objective statement about eating meat.
2. Not eating meat due to pragmatic reasons, this includes abstaining from meat because of medical and nutritional fears or abstaining from meat to limit the effects of meat consumption on the environment.
3. Not eating meat due to moral reasons, this includes the belief that an animal's right to life is not overridden by mans desire to eat its flesh, or the belief that humans have no right to kill animals for the purpose of eating its flesh. A classic text on vegetarianism, *Animal Liberation*, links this to the belief that humans are essentially no different from animals.⁶

All three versions of vegetarianism can be analysed through the perspective of the Jewish tradition.

1. Unpleasant to eat: Both R. Dr J. David Bleich and R. Alfred Cohen have addressed the issue of eating meat on Shabbat and Yom Tov and conclude that one who does not wish to eat meat does not have to do so.⁷ (Although it is preferable and possibly mandatory to eat meat if one enjoys it.) However such a vegetarian may loose the benefits of eating meat (i.e. elevating lower forms of life and being reminded of one's place in the world).
2. Pragmatic reasons: This may be the strongest case for vegetarianism as the modern livestock industry may be problematic. In the past many pious Jews were pragmatic vegetarians who avoided eating meat because of concerns over Kashrut.⁸ It is ironic that

people are vegetarians for health reasons since many sources indicate that Noah was permitted to eat meat for the sake of his health.⁹

I will discuss the Jewish perspective on the pragmatic case for vegetarianism more below, but the main focus of this article will be a third motivation for vegetarianism, the moral case. We will see whether such a case can be constructed within the Jewish tradition, or at least within the Orthodox stream.

One view of the primeval diet

It is well known that in Gan Eden man was prohibited from eating meat.¹⁰ Ten generations later Noah was told upon emerging from his ark that this prohibition had been overturned and that he was now allowed to eat meat.¹¹

Many vegetarians argue that the original antediluvian diet is God's preference for mankind and that any subsequent permission to eat meat was only a reaction to mankind's diminished moral and spiritual stature.¹² If vegetarianism is God's preferred diet for man, then we must acknowledge that *ideally* we should not eat meat.

There is ample support for this opinion. The Ramban explains that the original prohibition of eating meat stemmed from the natural kinship between man and beast whilst Rabbi Joseph Albo writes that killing animals for food accustoms people to cruelty and shedding blood.¹³ While Bereshit 9:3 clearly states that killing animals for food is permissible, according to R. Albo and the Ramban it cannot be seen to state that eating meat is entirely acceptable, as the rationale for the original prohibition against eating meat still applies today.

The Ramban sees significance in the fact that when God permitted eating meat He immediately introduced the restrictive dietary laws pertaining to meat.¹⁴ The Ramban explains that these restrictions are to ensure that man still retains a respect for the dignity of animal life. The Kli Yakar (R. Shlomo Ephraim Litchitz) extends this principle to all dietary laws:

What was the need for the entire procedure of ritual slaughter? For the sake of self-discipline. It is far more appropriate for man not to eat meat; only if he has a strong desire for meat does the Torah permit it, and even this only after the trouble

and inconvenience necessary to satisfy his desire. Perhaps because of the bother and annoyance of the whole procedure he will be restrained from such a strong and uncontrollable desire for meat.¹⁵

Some recent scholars take this idea even further and suggested that these laws are intended to install a sensitivity to suffering which will return us to the ideal we knew in the Gan Eden. For example, R. Shlomo Riskin, building on the ideas of R. Abraham Isaac Kook writes: 'the dietary laws are intended to teach us compassion and lead us gently to vegetarianism.'¹⁶

These laws can refine ones sensitivity to animal life despite the inherently brutal act of slaughter...

Rabbi Natan Slifkin elaborates on how these laws can refine ones sensitivity to animal life despite the inherently brutal act of slaughter: Kosher animals are all herbivores and non-aggressive – selecting these animals reminds us that bloodthirstiness is bad. One must ensure that the animal's parent or offspring are not killed on the same day. One must not disembowel the animal until it is dead. The slaughter must be as painless as possible – this involves finding a trained and experienced expert who is aware of the precise method which is considered to be the least painful. If the animal is not domesticated its blood (which is representative of its life) is given a token burial engraining a respect for life. All of the animal's blood must be removed – a lengthy process which used to take an entire day. Meat cannot be cooked with milk which would indicate an insensitivity to life and death.¹⁷

Of course it is possible to keep all of these restrictions and not retain any respect for animal life and the Ramban acknowledges that 'those who drink wine and eat meat all the time are considered scoundrels with a Torah licence' who fall foul of the Torah commandment to 'be holy'.¹⁸

Vegetarians can look to the Ramban who, amongst others, argues that ideally we should not eat meat and that although it is certainly not a sin to eat meat, it should be eaten sparingly and certainly not gluttonously or without respect for the animal.¹⁹ At the turn of the

sixteenth and seventeenth centuries the Kli Yakar stressed that one 'should not be accustomed to eating meat... one should only eat meat occasionally and not on a regular basis.' In previous times meat was not eaten to the same degree as it is today, it was a luxury item used to honour special occasions and would not have been eaten for its taste alone. Consumption of meat for pleasure may be far from what was intended when man was given permission to eat meat. Therefore the halakha therefore enshrines vegetarians' ideals into the daily life of every Jew through prescriptive dietary laws.

Although some recent scholars have suggested that these laws are intended to wean man away from eating meat altogether, the earlier and more authoritative sources indicate that the laws are designed to lead to moderation. It is clear that according to these classical opinions whilst vegetarianism may be a moral ideal in a certain sense, there are other factors which override it and allow us to eat meat. Therefore it appears that a Jew can eat meat in the correct way without there being a higher goal to which he should strive.

An alternative view

We have seen the Ramban's understanding of the ideal position in Gan Eden and the support that lends to vegetarianism. We will now explore a number of different understandings of other relevant passages before re-examining the Ramban's argument.

Rabbi Simcha Bunim of Pershischa argued that before the commandment to eat meat in Bereshit 9:2 meat was simply inedible.²⁰ Similarly, Rabbi Meir Leibush Malbim regarded the original transition from vegetarianism to eating meat as a technicality – before Adam ate from the fruit of the tree of knowledge he and Eve had a stronger constitution and produce was more nutritious so meat was unnecessary. However, once Adam sinned man became weakened and produce became nutritionally inferior which meant that he needed to supplement his diet with meat in order to meet his biological needs.²¹ The Tur (Rabbi Jacob ben Asher) in his commentary to Bereshit 1:29 explains that before Adam ate from the tree of knowledge mankind lacked the desire to eat meat.

Furthermore Both Rashi and Tosafot deduct from the prohibition on primordial man to eat meat from a live animal, that before the Flood, man was only prevented

from killing animals for food. However, humanity was always allowed to eat animals which died naturally.²² According to the Ohr Hahayim (R. Hayim ben Moses ibn Attar) meat was allowed after the deluge because animal life was only spared in the merit of Noah who then toiled to keep the animals alive on the ark.²³

The vegetarian diet of the antediluvian generations is not unanimously viewed as an ideal. Those who argue that man does not have the right to kill animals for food may have partial support from the Ramban who believes that – although we currently do have this God-given right – ideally we should not, but they are in disagreement with the Ohr Hahayim.

Furthermore, there are important sources which far from view vegetarianism in a poor moral light rather than as an ethical ideal.

Moral Dangers of Vegetarianism

R. Albo presents an ingenious and highly original interpretation of the events of Bereshit.²⁴ As previously mentioned, R. Albo believes that the original prohibition of eating meat was due to the cruelty involved in killing an animal for its flesh. However man mistakenly understood this prohibition to mean that man is not superior to animals.²⁵ Humans therefore began to mimic the actions of their 'equals.'

God rejected Cain's offering not out of spite, but as a clear message that man has dominion over animals and is perfectly justified in killing an animal in a religious ceremony.

R. Albo then addresses the actions of Cain and Abel. Cain believed that animals and man were equal and that he had no right to take the life of an animal even as an act of divine worship. Therefore Cain offered God an offering from the 'fruit of the ground.'²⁶ Abel, however, believed that man had limited rights over animals because of his superior reason and was therefore willing to sacrifice an animal to God, but he would not have killed an animal

for his own needs. God rejected Cain's offering not out of spite, but as a clear message that man has dominion over animals and is perfectly justified in killing an animal in a religious ceremony.

Tragically Cain misinterpreted God's message. God had accepted an offering of an animal's life but Cain continues to assume that man and animals are equal. The corollary of this faulty pretence is that the highest form of sacrifice is to sacrifice a human, indeed his own brother. Cain's fratricide is therefore a direct result of his opinion that man and animals are inherently equal together with his belief that the right to life is negated in the face of Divine Worship. R. Albo explains that Abel too misunderstood the relationship between man and animals, as he failed to understand that the differentiation is not the quantity of intellect possessed, but the quality of purpose and moral responsibility. It is for this reason that God allowed Abel to be killed; if he believes that he is no better than an animal, then that is how he will be treated.

God's actions in this episode show us that man has dominion over other forms of life, but this is predicated solely upon his unique ability to worship God – which is the purpose of all creation. Since every creature was created to attest to God's glory, and animals can only do this via man, is it not clear that God has given Abel the right to sacrifice an animal?

R. Albo writes that the belief that man and beast are equal in moral and spiritual stature prevailed for the next ten generations and resulted in the breakdown of the moral fabric of society and the necessity for the Flood. After the Flood God wished to impress upon man that he is superior to animals, and our domain over animals is extended to include killing them for food, as a constant reminder that we cannot imitate their behaviour and that it is mankind alone who is able to advance God's plan and actualise His will.

With this perspective we may be in a position to understand why God saw fit to kill the animals along with humanity. In the flood God wished to impress upon future generations that mankind is the primary purpose of the world. The Flood therefore demonstrates that 'I did not create animals and beast other than for man; now that man has sinned for what purpose do I need these beasts?'²⁷ Innocent wildlife is sacrificed to show mankind its importance and to help it understand its role in this world.

God is telling us through the natural order that animals do not have a 'right' not to be eaten.

R. Kook picks up where R. Albo leaves off and gives three potential risks that result from vegetarianism.²⁸

1. He argues that it is incorrect to tackle animal rights issues whilst there are so many humanitarian emergencies and whilst racial and national discrimination is so rife.²⁹ This is because by tackling animal rights we will satisfy our moral passion and placate our conscience without addressing larger and graver issues.³⁰ R. Kook refers here to the human ability to be scrupulous in one moral issue and thereby consider ourselves 'moral' despite any other moral requirements.
2. R. Kook warns that one will assume the behaviour of animals if they are considered as equal to mankind.³¹
3. R. Kook even goes so far as to suggest that vegetarians will come to see being a cannibal as no worse than being a carnivore and as man has a strong desire for meat (in this epoch) he worries that a failed vegetarian will turn to humans to abate his need for flesh, similar to Cain who tragically looks to his fellow brother to satisfy his desire to worship the Divine.³²

There is, unfortunately, no shortage of examples of all three of these shortcomings;

1. Rabbi J D Bleich is reminded of scenes where people watched their Jewish neighbours being sent to their death at the hands of the third Reich and immediately invested their sympathy in the pets which the Jews left behind.³³ The objection of PETA (People for the Ethical Treatment of Animals) to the use of an animal in a suicide bomb may well be a modern day example of this.³⁴ The flourishing of charities for a variety of animal causes despite a shortage of funds for a variety of important humanitarian initiatives is a more widespread and diverse phenomenon.
2. Chief Rabbi Hertz wrote 'the nineteenth century . . . discovered that we came from the beast . . .' the twentieth century is ' . . . trying to convince us that it was only natural for us to return to the beast.'³⁵
3. The comparison between the Holocaust and the treatment of animals by a number of authors is

reminiscent of this seemingly bizarre claim.³⁶ R. Bleich refers to an article in the *New England Journal of Medicine* which argues that banning animal experimentation may result in humans replacing animal subjects in future biochemical research.³⁷

R. Kook's concern that man and animal may come to be seen as equal is highly relevant to recent debates about meat-eating. Peter Singer, author of the highly influential book *Animal Liberation*, proposes that man and animals are equal and we should therefore avoid eating other animals.³⁸ As we have seen, R. Kook specifically objects to this equation, and the Sefer Hasidim (R. Judah b. Samuel of Regensburg) writes that God created carnivorous animals specifically so that people do not worry about eating other animals.³⁹ One who believes that nature is the work of a Divine Creator understands that God is telling us through the natural order that animals do not have a 'right' not to be eaten.

Spiritual elevation

We have seen it suggested that vegetarianism is a sign of a higher spiritual state. We will now see a view which takes precisely the opposite approach.

Bereshit (chapter 18) tells of Abraham being visited by three angels as he recovers from his circumcision. Believing them to be travellers he prepares them a meal. One might be surprised that when angels come to earth they eat physical food, the Midrash comments:

Anyone who claims that the angels did not eat when they were with Abraham is talking nonsense. Rather, in the merit of that righteous individual, and as a reward for the effort he made, God opened their mouths and they ate.⁴⁰

It appears that angels do not normally eat physical food, rather an exception was made for the pious acts of Abraham who prepared a feast despite the pain of circumcision.

The angels then travel to Abraham's cousin, Lot, who is not the righteous sage which Abraham is.⁴¹ Lot too serves them some food, which they eat. Rabbi Shmuel Bornstein of Sochaczew (Shem Mishmuel) asks why the angels partook from Lot's meal if – according to the Midrash – angels only eat out of respect for a great and pious person?

The Shem Mishmuel introduces a fascinating idea that revolutionises the argument for animal rights. He explains that eating serves two distinct functions; first it gives a person substance and nutrients; and secondly it allows lower forms of life to become part of man, or in Kabbalistic terminology eating turns *tsamei'ah* (plant life) and *hai* (animal life) into *medaber* (human life).

Animals are limited by their natural instinct which curtails their ability to fulfil the Divine Will. For an animal to transcend its instinct it must become physically and spiritually part of a being that is able to overcome its instinct. R. Natan Slifkin illustrates this point with an example of an animal that dies in a medical experiment and thereby creates a cure for cancer. Clearly this animal has achieved more through sacrificing its life to participate in human endeavour than it ever could have hoped to achieve as an animal.

Returning to the first of the two functions of food, the Shem Mishmuel explains that a physical being can reach a level of spirituality where it will receive sustenance from God without the need for physical food. 'Not by bread alone does a man live, but rather on everything that emanates from the mouth of God.'⁴² It is clear that when angels assume physical form they have no need for human food. With regards to the second purpose of food however, surely it is better for an animal to be consumed by an angel and raised to a celestial level than it is for the animal to be raised to the level of a mere human, even Abraham?

Not so, for 'the righteous are greater than the angels.'⁴³ An angel is similar to an animal in that neither possesses the capacity of free will which humans have. Of course the greater the eater of the food, the greater the spiritual elevation of the lower forms of life. Therefore the calf which Abraham served to the angels would prefer to be eaten by Abraham – a man of astonishing spiritual ability! It is now possible to understand why one would be prompted to speak nonsense and claim that the angels did not eat when they were with Abraham. When the angels ate Abraham's food it served no purpose at all, they did not need the nourishment and they were not able to elevate the food to the extent which Abraham could. The Midrash therefore explains that they did so to avoid insulting Abraham. It is now readily understandable why the Midrash is not surprised that the angels ate Lot's meal. They partook in order to elevate the food to a higher level than Lot could have.

This principle creates an entirely new understanding of the Noahide Change. The Kli Yakar explains that God did not grant Adam the right to eat animals as they were not worthy of it.⁴⁴ Not until Noah did the world reach a stage where man was worthy of eating meat. This prompts a remarkable consequence, that the transition from vegetarianism to eating meat may be the result of spiritual growth rather than a fall.

According to this Kabbalistic interpretation man has the right to eat meat, and any animal would wish to be eaten by a tsaddik.

This principle is echoed by R. Yosef Giatalia (Shaarei Orah):

Why did God see fit to command in the Torah to slaughter animals for human consumption – surely it is written “God is good to all, and His mercy is upon all His works” [Tehillim 145:9], and if He is merciful how could He command the slaughter of an animal for human consumption; where is His mercy? ... However the secret is... an animal does not possess a higher soul to grasp the deeds of God and His greatness, and at the creation of the world, God stood the animals before Him and said to them, “Do you desire to be slaughtered such that man shall consume you, and you shall be elevated from the level of an animal, that knows nothing, to the level of man, who knows and recognises God?” And the animals said: “Good, and it is a mercy for us.” For when a person eats part of an animal, that part becomes part of a human being... and therefore an ignoramus may not eat meat, for he is like an animal, without a soul, and God did not command the slaughter of an animal for another animal to eat it.⁴⁵

According to this Kabbalistic interpretation man has the right to eat meat, and any animal would wish to be eaten by a tsaddik. It also implies that people of lowly spiritual stature should avoid eating meat, as they provide little or no elevation for the animal. It is important to note that according to this explanation eating meat is a lofty and

highly mystical activity, and one who is eating meat for its taste alone finds little justification here.

Other applications

This principle has a variety of other applications. Torah law mandates that Torah scrolls are written on animal hides and tefillin must be made from animal leather and sinews. Whilst one could find animals that have died naturally for these needs it is fair to assume that animals will be killed for their hides to be used for ceremonial purposes. In light of the above principle one can understand why any animal which is lucky enough to be used for such a holy artefact is not to be pitied. On this topic the Bina Bamikra offers a beautifully sensitive citation from Safer HaHasidim:

And that which the Torah permitted the eating of meat to those who study Torah and observe the mitzvah of tefillin, it is because the Torah and the Tefillin are formed from the hide and the sinews of the animals, and after we have used parts of the animal in order to fulfil the needs of the mitzva, we may find therein justification for using the rest of the animal for the eating of flesh.⁴⁶

This explanation does not explain why animals can be killed for meat alone or why Noah was allowed to eat meat before either tefillin or Torah scrolls are mandated. A further application of this principle is animal sacrifice; it is not the life of an animal which makes the altar holy, rather it is the sacrifice which makes the animal holy. It allows the animal to be involved in an otherwise unobtainable act of Divine worship and it helps make contact with the Divine, as we hope to.⁴⁷

Ethics in farming

An important contemporary issue is modern farming methods, which may well be antithetical to Torah ideology. Former Chief Rabbi of Ireland, David Rosen, writes ‘the current treatment of animals in the livestock trade definitely renders the consumption of meat halakhically unacceptable as the product of illegitimate means.’⁴⁸

The illegitimacy which R. Rosen refers to is the Torah prohibition of harming an animal.⁴⁹ Although it is permitted to hurt an animal for a human need, the

definition of a 'human need' is unclear. R. Moshe Feinstein writes that it refers to using animals for labour or for their meat, but it appears that financial benefits or better taste may not qualify.⁵⁰ This means that the modern practice of harming animals to lower prices and increase profits may be unacceptable.

A second contemporary scholar, Rabbi Aryeh Carmell writes 'It seems doubtful... whether the Torah would sanction "factory farming" which treats animals as machines with apparent insensitivity to their natural needs and instincts.'⁵¹ It is important to note that unlike R. Rosen, R. Carmell does not suggest it is prohibited to eat meat if it is the 'product of illegitimate means'. There are many examples of permitted articles which are the product of an illegitimate action or process. For example, it may be morally wrong to buy meat from a known thief, but the meat is still kosher and it is not forbidden to benefit from it. Similarly here, it may be wrong to support an industry which is illegitimately hurting animals, but that does not mean that one is prohibited from eating meat.

Some Jewish vegetarians argue that vegetarianism is a moral imperative because of the damage the livestock industry does to the environment, the damage meat does to one's health and the ineffective use of resources which could otherwise help feed the undernourished and poverty stricken.⁵² Although these may be strong arguments for vegetarianism they appear to be too indirect to do more than suggest that vegetarianism is an ideal 'lifnim meshurat hadin' – beyond the letter of the law.

If these modern considerations make vegetarianism an ideal of lifnim meshurat hadin should Rabbis endorse it as 'the Kashrut for our age'?⁵³ Rabbi Gill Student worries that rabbis should be seen to be worrying about more immediate and severe issues in accordance with the criticism which R. Kook mentioned earlier. R. Student also warns that the denial of meat may make Judaism seem more ascetic and unpleasant than it already appears in this hedonistic age. Furthermore, is vegetarianism realistic or will it simply force a divide between the Rabbinat and the laity?

Conclusion

The Jewish tradition has a complex and nuanced approach to meat-eating which appreciates the positive and negative

psychological affects which it has on a person as well as a genuine concern for animal welfare. There are a range of views in the classic sources, some argue that eating meat is natural, and others that it is begrudgingly permitted, acceptable in moderation, justifiable, beneficial for animals or temporarily permitted. This variety of views does not reflect a weakness or confusion but rather the ability of our tradition to acknowledge and unify a vibrant collage of disparate opinions and perspectives.

It is clear that there is no criticism to be levelled at one who desists from eating meat out of personal sensitivity or piety on the basis of our sources, indeed this appears to be a praiseworthy especially in the light of some modern considerations. Similarly, a Jew who eats meat in the correct manner does not have a higher level to which to aspire because, in moderation, eating meat appears to be justifiable and perhaps even beneficial. A person's Jewish values will inform their decision and place parameters within which they are free to find their own personal position.

Judaism attests that there is a wrong way to be a vegetarian and a wrong way to be a carnivore.

This does not mean that every position is compatible with the Jewish tradition. Judaism attests that there is a wrong way to be a vegetarian and a wrong way to be a carnivore. Those who eat meat must remember that animals are God's creations and that we must always treat animals with the great respect and reverence which they deserve as our fellow creations. As AJ Heschel reminds us 'the secret of every being is the divine care and concern that are invested in it.'⁵⁴ On the other extreme vegetarians must not forget the unique place which humans have in this world which makes us superior to animals.

Whereas in earlier generations meat eaters were actively involved in the dietary laws which would imbue in them a reverence for the sanctity of animal life we are increasingly removed from these reminders. A second but related issue is that as meat has become commonplace many of us do not think twice before eating it. We are hardly aware when we pick up an attractively labelled box of beef burgers that the product we hold required the destruction of God's creatures. The Jewish tradition wants us to be more

conscious of what we put in our mouths.

Perhaps certain practices such as only eating meat as part of a meal, or learning the laws of shehita even if one does not actually act as a shohet will enable a person to regain the sensitivities which they have lost. Indeed, if eating meat is supposed to remind us that we are superior to animals and are charged with a special mission (R. Albo) or if it supposed to enable us to elevate lower forms of life (Shem Mishmuel) it must be done consciously, and without sacrificing our sensitivity to the brutality of the act.

Although vegetarianism has the glamour of a new fad for many people, our research shows that Judaism dealt with these 'modern ideas' millennia ago. Once again we are awed by the scope, perceptiveness and sensitivity of our sages.⁵⁵

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1. See Peli, Pinchas: *Torah Today*, Texas: Texas University Publishing 2005. Schwartz, Richard: *Judaism and Vegetarianism*, New York: Lantern Books 2001
2. I am not a vegetarian.
3. Spencer, Colin: *The Heretic's Feast. A History of Vegetarianism*, (London 1993)
4. McDaniel, Lynda: 'Vegetarian Cuisine is in Bloom on Restaurant Menus', *Restaurants USA*, January 1999, 30 -33; Tanith Carey, 'We Will Turn Veggie by 2047', *The Mirror*, 19 May 2003
5. Katz, Shlomo ed.: 'Rav Sharaga Feivel Mendlowitz' *Hamaayan/The Torah Spring*, 24 August 1996.
6. A survey by NOP (1997) recorded that 44% of vegetarians do not eat meat for moral reasons, whilst 22% are vegetarians for health reasons.
7. R. J D Bleich, 'Vegetarianism and Judaism' *Tradition* 23(1) 'Vegetarianism from a Jewish Perspective', *The Journal of Halacha and Contemporary Society*, Vol. 1, No. 2 Fall 1981
8. See Pesahim 49b and Bleich,
9. Malbim ibid; Tur ibid; Seforno ibid.; R. SR Hirsch ibid.; Abarbanel ibid.
10. Bereshit 1:29 and Sanhedrin 59b. Animals too appear to have been vegetarian.
11. Bereshit 9:3 and TB Sanhedrin 59b
12. "And God saw the earth, and behold it was corrupt; for all flesh had corrupted their way upon the earth (Bereshit 6:12). See also Pesahim 49b.
13. Ramban's commentary to Bereshit 1:29; R. Albo *Sefer Ha'ikarim* III, chapter 15. While the Ramban advocates vegetarianism on moral grounds, R. Albo appears to believe in vegetarianism because of a practicality (see the 3 types of vegetarianism referred to the introduction). A possible differentiation between these two may be whether or not man is able to eat an animal which died naturally.
14. Bereshit 9:5 with the commentary of the Ramban.
15. Quoted in Chill, Abraham, *The Commandments and their rationale*, (New York, 1974), 400. Note that the Kli Yakar never advocates total vegetarianism and only suggests that these laws will bring us to a moderate consumption of meat. This goes further than The Ramban who referred only to the universal command to Noah. Although the author could not find this comment inside, a similar comment by the Kli Yakar in Devarim 12:2 explains that one should catch an animal before eating it even if there are penned animals available because the bother of catching an animal will counteract ones desire for meat and ensure that meat is eaten in moderation. (See Devarim 12:2 and Hullin 84a).
16. Riskin, R. Shlomo, 'A Sabbath Week-Shabbat Ekev', *The Jewish Week*, 14 August. 1987: 20; "Fragments of Light in Abraham Isaac Kook", edited and translated by Ben Zion Bosker (New York: 1978), 316-321; See also R. Alfred Cohen, 'Vegetarianism from a Jewish Perspective', *The Journal of Halacha and Contemporary Society*, Vol. 1, No. 2 Fall 1981, 45.
17. Slifkin, Natan, *Man & Beast: our relationships with animals in Jewish law and thought* (New York: 2006), 173.
18. Commentary to Leviticus 19:2
19. Similar opinions are found in R. Shlomo Efraim of Lunitchitz (Kli Yakar) ('you should not accustom yourself to eating meat as it gives rise to cruelty and bad traits in a person.'). Abarbanel to Yishayahu 11:8; Moses Cassuto quoted in Leibovitz, Nachama, *Studies in Bereshit*, 77; Hullin 84a.
20. Commentary to Bereshit 1:30
21. Commentary to Bereshit 9:3. See also Seforno to Bereshit 6:23, 8:22; Rabbi Samson Raphael Hirsh to Bereshit 9:3; Abarbanel to Bereshit 9:1, section 3.
22. Rashi in commentary to Sanhedrin 57a and Tosafot to Sanhedrin 57b. Other sources disagree (Hiddushei HaRan to Sanhedrin 56b).
23. Ohr Hahayim commentary on Bereshit 9:3; See also the Ramban, Hizkuni and Meshekh Hokhmah. The Ohr Hahayim mentions both the

- Divine merit of Noah and Noah's toil in the ark. The necessity for both of these answers may be because Noah may not have physically saved fish.
24. *Safer HaIkarim*, Book III, chapter 15.
 25. Note the diversity of opinion, according to the Kli Yakar quoted in footnote 9 this was the reason why man was prohibited from eating animals.
 26. Bereshit 4:3, this is flax seed according to Tan-chuma (Bereshit 9) and Pirkei de R' Elazar (21).
 27. Sanhedrin 108 a.
 28. R. Kook himself was not a vegetarian, see footnote 12 in R. A Cohen, 'Vegetarianism from a Jewish Perspective', *The Journal of Halacha and Contemporary Society*, Vol. 1, No. 2, Fall 1981, 45.
 29. HaPeles, vol 3, no. 11 (5663), 658, excerpted in *Hazon HaTsimkhiyot V'HaShalom Mishnat ha Ray*, ed. Abraham Reiger and Yochanan Freid (Jerusalem, 5721), 211-212.; Ein Ayah, Berakhot II 7:41.
 30. HaPeles 659-660; *Mishnat haRay*, 217.
 31. HaPeles 659; *Mishnat haRay*, 214-216.
 32. HaPeles 658; *Mishnat haRay*, 212
 33. R. J D Bleich, 'Vegetarianism and Judaism' *Tradition* 23(1) Summer 1987, 86
 34. 'Your Excellency, We have received many calls and letters from people shocked at the bombing. If you have the opportunity, will you please add to your burdens my request that you appeal to all those who listen to you to leave the animals out of the conflict'. Mueller, G, 'PETA earns pity in wake of blunders' in *The Washington Times*, 23 February 2003.
 35. Hertz, J.H. *Affirmations of Judaism* (Oxford 1927), 27
 36. This includes Isaac Bashevis Singer the Nobel Prize winning author, PETA and meat.org http://www.adl.org/Anti_semitism/holocaust_imagery.asp
 37. Cohen, Carl, 'The Case for the Use of Animals in Biochemical Research' *The New England Journal of Medicine*, vol 315, no 14 (October 2, 1986) 868.
 38. Singer, Peter: *Animal Liberation* (New York, 1977)
 39. 589
 40. Tana D'Bei Eliyahu Rabah 13:2
 41. See Midrash Tanhuma to Bereshit 19.
 42. Devarim 8:3. The Shem Mishmuel also cites Moses' 40 days on Sinai as an example of this phenomenon. It is also suggested that the fast on Yom Kippur is because we can all reach this level of purity on this unique day.
 43. Sanhedrin 93a, see also Bereshit Raba 78:1.
 44. Kli Yakar commentary on Bereshit 9:2
 45. Translated and cited by Slifkin, Natan: *Man amdnd Beast: our relationships with animals in Jewish law and thought* (New York: Yashar Books, 2006), 169-170; On prohibition of an ignoramus to eat meat see Pesachim 49b, however see Maharsha, Rabbenu Nissim (citing R. Sherira Gaon) and R. Moses Isserles (Teshuvot Rema no 65) who all interpret this text as a warning that those not schooled in the minutia of dietary laws should not eat meat. (Fish which lacks the complex halakhic requirements of meat is available to an ignoramus.)
 46. *Bina Bamikra*, 203
 47. There are views that animal sacrifices will not be restored in the Third Temple, for example Rav Kook in Alot R'iyah 1.292. On R. Kook's views on vegetarianism see Alfred Cohen *ibid.* footnote 47; On future level of animals see 'Afikim ba Negev' *Ha Fe's* vol. 3, no 12, (Elul 5663), 718
 48. Rosen, R. David: "Vegetarianism: An Orthodox Jewish Perspective" in Roberta Kalechofsky (ed.) *Rabbis and Vegetarianism: An Evolving Tradition* (Marblehead, Mass.: Micah Publications, 1995), 53)
 49. Bava Metsia 32b
 50. On hurting an animal for human need see for example Nimukei Yosek to Bava Metsia *ibid.* and Remah Even HaEzer 5; on financial gain as a human need see R. Moses Feinstein, Igrot Moshe, Even HaEzer vol.4 responsa 92 part II in relation to veal; on taste as a human need see R. Ovadia Yosef in Yabia Omer vol. 9 Yorah De'ah 3 with regards to foie gras.
 51. Carmell, Aryeh: *Masterplan* (Jerusalem 1991) 69
 52. For a full treatment of these issues please see Aaron Gross, Richard Schwartz, Roberta Kalechofsky, A Case for Jewish Vegetarianism: For animals, for yourself and for the environment (PETA). Available on-line.
 53. Rabbi Arthur Green, Dean of Hebrew College Rabbinical School and Brandeis University Professor, quoted in Gross, Schwartz and Kalechofsky *ibid.* 21.
 54. Heschel, AJ, *God in Search of Man; A Philosophy of Judaism* (New York 1995) 74.
 55. *Ibid.* 63

Divine Providence in medieval and contemporary Jewish thought

JOSEPH FAITH

Jewish theologians throughout history have debated the nature and scope of Divine Providence or hashgacha pratit. This debate reflects fundamental differences of understanding regarding one of the core concepts of Jewish faith. The word 'hashgacha' can be literally translated as 'observation', and indeed this is the sense in which it is used in the Apocrypha (Sefarim Hitsonim), where the term first appears.¹ There is almost complete agreement within the Jewish tradition regarding God's complete observation of human action.²

The second meaning of 'hashgacha', found predominantly in the Rabbinic literature is that of Divine intervention in human affairs.³ The extent to which this intervention occurs is a matter of debate, which this article will survey in its historical context before discussing some of its contemporary ramifications. We shall see that differing attitudes towards hashgacha pratit are often related to views on the desirability of worldly endeavour.

The Talmudim and Midrashim contain several references to the question of Divine Providence, although the subject receives no systematic treatment.⁴ As the later debate around the correct understanding of Divine involvement in human affairs reveals significant disagreement about how these references should be understood, I will examine the views of Hazal in the context of those discussions.

Upon all His creation?

Contrary to some contemporary perceptions, the widespread view amongst the Rishonim was that hashgacha pratit applies to humans alone, and not to animals or other parts of the natural world.⁵ Furthermore, many and perhaps most Rishonim held that the extent

to which a person's life is guided by hashgacha pratit is dependant upon their spiritual level.⁶

Contrary to some contemporary perceptions, the widespread view amongst the Rishonim was that hashgacha pratit applies to humans alone.

As the Rambam writes:

We have already stated in the chapters which deal with Divine Providence, that Providence watches over every rational being according to the amount of intellect which that being possesses. Those who are perfect in their perception of God, whose mind is never separated from Him, enjoy the constant influence of Providence. But those who, perfect in their knowledge of God, sometimes turn their mind away from God, enjoy the presence of Divine Providence only when they meditate on God; when their thoughts are engaged in other matters, Divine Providence departs from them...⁷

The Rambam also stresses that hashgacha pratit only applies to man, and that all other life forms are governed solely by 'mikre' or chance, as illustrated by the following passage:

For I do not believe that it is through the interference of Divine Providence that a certain

leaf drops [from a tree], nor do I hold that when a certain spider catches a certain fly, that this is the direct result of a special decree and will of God in that moment; it is not by a particular Divine decree that the spittle of a certain person moved, fell on a certain gnat in a certain place, and killed it; nor is it by the direct will of God that a certain fish catches and swallows a certain worm on the surface of the water. In all these cases the action is, according to my opinion, entirely due to chance, as taught by Aristotle. Divine Providence is connected with Divine intellectual influence, and the same beings which are benefited by the latter so as to become intellectual, and to comprehend things comprehensible to rational beings, are also under the control of Divine Providence, which examines all their deeds in order to reward or punish them.⁸

Debates about the Rambam

There has been considerable discussion of exactly what the Rambam meant in this passage. Differing schools of thought during the Maimonidean controversies of the late twelfth and early thirteenth centuries focused on different nuances in the Rambam's writings and arrived at radically different conclusions.⁹ Some, for example R. Shmuel ibn Tibbon, translator of *Moreh Nevukhim*, took a minimalist approach and believed that 'Providential concern for individual human beings has no external expression', in other words, even a person whom God is 'watching over' cannot escape the accidental quality of the natural order, and may therefore experience misfortune as much as somebody who is 'unwatched'. Hashgakha pratit, 'is the perfect human's ability to ignore the material world so that misfortunes simply become meaningless for that person.'

For the Rambam, and for other rationalist Rishonim, miracles were not a central aspect of Judaism.

Others posited a definite Divine involvement in human affairs. According to this school, 'the more a person acquires knowledge, the more he/she is liberated from the accidents of the material world. Providential concern for a perfect being is reflected in concrete, material assistance

rendered by God in the avoidance of danger.' An example of such a moderate is R. Kalonymus Ben Moshe (author of Mesharet Moshe), who devoted an entire work to defending the Rambam's view from his contemporaries' strictures.

The Rambam, in seeking to limit the concept of hashgakha pratit, places an emphasis on the 'natural order'.¹⁰ Indeed he goes to the extent of claiming that all the miracles which have occurred were pre-programmed into the natural order from the beginning.¹¹ For the Rambam, and for other rationalist Rishonim, miracles were not a central aspect of Judaism. Rather God was to be apprehended through reflection on the profound wisdom with which He designed the physical world.¹²

As R. Shmuel Ariel notes, the Rambam's view, at least with regard to the way in which a person's spiritual level determines the extent to which they are subject to hashgakha pratit, was shared by many other Rishonim, such as the Meiri, R. Bahya, the Ralbag, the Ran, R. Yosef Albo, and R. Yitshak Arama. There are also indications that this was the view of the Rashba, some of the Baalei Hatosafot, R. Yehuda Halevi, and of the author of the Sefer Hahinukh.¹³

Ramban

It is frequently claimed that the Ramban had a different view of the role of hashgakha pratit in human life, based on the following passage in his commentary on Shemot:¹⁴

A person does not have a portion in the Torah of Moshe unless he believes that everything that happens in this world is miraculous, without nature or the way of the world, whether for individuals or communities. Rather, if one fulfils the commandments one is rewarded and if one violates them he is punished...¹⁵

R. Moshe Sternbuch maintains that the Ramban's conception of hashgakha pratit was maximalist i.e. all of man's actions are subject to Divine guidance.¹⁶ However, as R. Dr. David Berger has noted, there are other passages in the Ramban's writings which suggest a less absolutist conception of hashgakha pratit.¹⁷

The Ramban writes in his commentary on Devarim: 'Know that miracles are performed for good or ill only for

the absolutely righteous or the absolutely wicked. Those in the middle have good or ill occur to them according to the customary nature of the world, “in accordance with their ways and their actions” (Yehezkel 36:17).¹⁸

In his commentary to Iyov, he states that,

‘To the extent that this individual comes close to God by cleaving to him, he will be guarded especially well, while one who is far from God in his thought and deeds, even if he does not deserve death because of his sin, will be forsaken and left to accidents...Those who are close to God are under absolute protection, while those who are far from Him are subject to accidents and have no one to protect them from harm...most of the world belongs to this intermediate group.’¹⁹

According to R. Dr. Berger, these statements make it clear that the Ramban’s remarks in his commentary on Shemot refer not to hashgacha pratit but to reward and punishment. The Ramban is therefore not denying the natural order but rather arguing that nature plays no role in the working out of Divine justice. God dispenses reward and punishment in a purely miraculous fashion. At the same time, the natural order exists and most individuals find themselves unworthy of the kind of Providence that lifts them beyond its limitations.

R. Bahya

Although there is little evidence of Rishonim with fully maximalist conceptions of hashgacha pratit, it played a larger role for some than others. R. Bahya Ibn Pakuda, in his *Hovot Halevavot*, writes, ‘no man can either help or hinder himself or another except with the permission of the Creator, may He be blessed.’²⁰ This seems to imply that God is constantly involved in every aspect of man’s life, not allowing him to interact with others except as He deems fit.

As opposed to the widely held view of the Rishonim that hashgacha pratit is far from all-pervasive, the position of Aharonim is more complicated.

However, in the same chapter R. Bahya states that, ‘God will remove his Providence from he who places his trust in anyone besides Him, and place him in the hands of the one in whom he has placed his trust.’²¹ Thus it seems that R. Bahya maintains that in general, God indeed maintains His direct Providence over man; however, where man does not warrant such Providence, God will leave him to the vagaries of chance.

Despite the fact that this conception of hashgacha pratit is more expansive than that found in the writings of the Ramban and his intellectual descendants; nevertheless, it still allows for circumstances in which God chooses not to exercise His Providence over a person, and thus is not an example of a completely maximalist conception of hashgacha pratit.

Influence of Hassidut

As opposed to the widely held view of the Rishonim that hashgacha pratit is far from all-pervasive, the position of Aharonim is more complicated. There are many texts in later Rabbinic literature that support a more maximalist notion of hashgacha pratit; they imagine that all that befalls man is guided by Divine intervention.²²

Furthermore, in the wake of the Hassidic movement, there are many authorities who accept the position ascribed to its founder, R. Yisrael Ba’al Shem Tov, that ‘even when a leaf falls from a tree, it is because Heaven has decreed that this particular leaf falls.’²³ Thus, not only did he argue that hashgacha pratit applied to all, whatever their spiritual stature, he even seems to say that hashgacha pratit applies to all aspects of the created order, both animate and inanimate.²⁴ As we have seen, this is a view explicitly rejected by the Ramban and by the Sefer Hahinukh.²⁵ The Ba’al Shem Tov is therefore considered by many to have launched a revolution in the understanding of hashgacha pratit.

The shift towards a more maximalist conception of hashgacha pratit can be attributed in a large part to the increasing dominance of Kabbalistic influences on Jewish thinkers.²⁶ Although the position of the Zohar is the subject of some dispute, it is clear that those who were influenced by the Zohar, and especially by the interpretation of R. Yitshak Luria (the Ari), were more likely to adopt a ‘maximalist’ conception of hashgacha pratit.²⁷ It seems that pre-Ari Kabbalists held to the general medieval conception of hashgacha pratit, whereas

most Kabbalists who came after the Ari maintained a more 'universalist' view.²⁸

As R. Dr. Norman Lamm argues, in the teachings of the Ari, every created item, even in the animal world, possesses a soul. In his elaboration of the Ari's view, the Ba'al Shem Tov attributed the world's continued existence to constant Divine recreation and individual Providence.²⁹

Although there are a few examples of some early Hassidic works which do not subscribe to this conception, the majority of the Hassidic literature is replete with examples of a maximalist conception of hashgakha pratit.³⁰ Habad literature, especially, developed a complex conception of Divine intervention in human affairs, and consciously rejects the medieval view. According to the Lubavitcher Rebbe, the Ba'al Shem Tov's teachings represent a further stage in God's revelation, and once we have received His teachings we are not at liberty to accept the widespread medieval view of hashgakha pratit.³¹

Mitnagdim

Although some have argued that Hassidism's opponents maintained the medieval rationalistic view, which understood hashgakha pratit to be limited, the evidence is mixed.³² Some of the early opponents of Hassidut maintained a somewhat limited view of hashgakha pratit, although this was usually couched in Kabbalistic terminology, lending their views a somewhat different flavour to those of the Rishonim. R. Hayim Volozhiner (founder of the Volozhin yeshiva and leading disciple of the Vilna Gaon), writes in his classic *Nefesh Hahayim*, commenting on a passage in the Zohar:

Someone who sincerely accepts upon himself the yoke of Torah, for its own sake (*lishma*), ... is elevated above all worldly matters, and experiences specific Divine Providence from God, may He be blessed, above that which is prescribed by natural forces and all the influence of the constellations...³³

This implies that there are differing levels of hashgakha pratit according to the extent one devotes oneself to Torah study. However, amongst later Mitnagdim, despite a relative paucity of explicit discussions of the topic, there seems to be a consensus that hashgakha pratit applies to all in equal measure and many have even accepted the Ba'al Shem Tov's view that hashgakha pratit applies to animals.³⁴

The appearance of a maximalist conception of hashgakha pratit even amongst Mitnagdim, can be partly attributed to the view of the Vilna Gaon, who, it is argued by some, independently arrived at a similar conception of hashgakha pratit to that of R. Yisrael Ba'al Shem Tov, in his commentary to the Zohar.³⁵

The Rambam's view as to the limits of hashgakha pratit and the ascendancy of nature reflects his entire philosophical approach

Some non-Hassidic Aharonim have tried to reconcile the Rambam's views with more maximalist conceptions of hashgakha pratit. For example, R. Hayim Friedlander, the former mashgiah of the Ponovezh yeshiva, points out that the Rambam seems to contradict various passages in Hazal that imply constant, universal Providence, and argues that even apparent chance is merely God's hidden Providence.³⁶ This seems untenable, though, in light of the Rambam's clear statements in *Moreh Nevukhim*. Furthermore, the Rambam's view as to the limits of hashgakha pratit and the ascendancy of nature reflects his entire philosophical approach; it is difficult to argue that he really intended a Kabbalistically influenced idea of hashgakha pratit, whilst neglecting to ever state this clearly in his works. What is significant, however, is that R. Friedlander feels the need to justify his position in terms of the Rambam's approach. As opposed to a Hassid, such as the Lubavitcher Rebbe, who felt free to reject the Rambam in favour of the Ba'al Shem Tov's later 'revelation', R. Friedlander, who knows of no such revelation, feels obliged to fit his views into the words of earlier authorities.

However, some non-Hassidic, philosophically influenced Aharonim, such as R. Meir Simha of Dvinsk, indeed



R. Meir Simha of Dvinsk

subscribed to the medieval minimalist view, as indicated by the following excerpt from his commentary on the Torah:

Divine Providence is manifest for each Jew according to his spiritual level as the Rambam explains in *Moreh Nevukhim* (3:18): Divine Providence is not equal for everyone but rather is proportional to their spiritual level. Consequently the Divine Providence for the prophets is extremely powerful each according to their level of prophecy. The Divine Providence for the pious and saintly is according to their level of perfection. In contrast the fools and the rebels lacking spirituality are in essence in the same category as animals... This concept that Divine Providence is proportional to spiritual level is one of the foundations of Judaism...³⁷

The contemporary debate: R. Soloveichik and R. Dessler

Another recent proponent of a minimalist conception of hashgacha pratit was R. Yosef Dov Soloveichik. In *Halachic Man*, R. Soloveichik writes,

The fundamental of Providence is here transformed into a concrete commandment, an obligation incumbent upon man. Man is obliged to broaden the scope and strengthen the intensity of the individual Providence that watches over him. Everything is dependent on him; it is all in his hands. When a person creates himself, ceases to be a mere species man, and becomes a man of God, then he has fulfilled that commandment which is implicit in the principle of Providence.³⁸

As R. Dr. David Shatz argues, R. Soloveichik believes that the Jewish approach to Providence implies a Divine imperative inherent in the nature of creation to become involved in the natural world.³⁹ In *The Lonely Man of Faith*, R. Soloveichik maintains that the Torah mandates the involvement of human beings in technological activity. He bases this on God's blessing to Adam and Eve 'fill the land and conquer it' (Bereshit 1:28), which extends to the obligation of *imitatio dei*. R. Soloveichik holds that the use and development of technology is nothing less than an obligation.⁴⁰

For R. Dessler, technological progress is generally perceived to act as a distraction from our goal of peering behind the 'veil' of the physical order.

In contrast to this positive approach to practical endeavour, R. Eliyahu Eliezer Dessler, who was R. Friedlander's predecessor as mashgiach of Ponovezh, in *Mikhtav Me'Eliyahu*, maintained that man's involvement with the world is, at best, a necessary evil.⁴¹ R. Dessler, in keeping with the Hassidic conception, maintained that creation is a continual, ongoing process and not a singular event. His notion of 'teva' (nature) follows this view. Every event, even those seemingly governed by natural law, is part of that act of creation. Nature is thereby reduced to predictability of the Divinely prompted event. R. Dessler (like R. Avraham Yeshaya Karelitz) maintained that given the illusory 'nature of nature', each individual must find the appropriate balance between personal effort (*hishtadlut*) and trust (*bitahon*). R. Dessler defines nature as an arena of 'nisayon' (test) — i.e. one will engage in derekch erets in inverse proportion to one's recognition of God's Providential role. R. Dessler thus advises that one make his Torah a fixed part of his life (*kavua*) and his *derekch erets* contingent on circumstances (*arai*).⁴²

In light of his conception of nature, R. Dessler castigates preoccupation with technological enterprises and deems this the equivalent of idolatry. He writes that 'a civilization which is preoccupied with developing the external and the material, and neglects the inner moral content will eventually degenerate to its lowest possible depths.'⁴³

Furthermore R. Dessler claimed that,

Happiness in this world comes only as a result of being content with what one has in this world, and striving intensively for spirituality' and thus 'the more that people try to improve this world, the more their troubles will backlash ... Instead of realizing they are drowning in materialism, they search for further ways to enhance physicality.'⁴⁴

Thus we see that for R. Dessler, technological progress is generally perceived to act as a distraction from our goal of peering behind the 'veil' of the physical order. It only reinforces our mistaken perception of a set of natural laws operating independently of God's will. For R. Soloveichik, however, the development of the world in accordance with natural laws is an integral part of man's service of God. Physical reality does not obscure God, rather it conveys His greatness.

Ironically, it can be argued that the predominance of the maximalist conception of Divine Providence amongst later non-Hassidic authorities is largely due to the fact that many of the recent prominent thinkers (ba'alei mahshava) within the non-Hassidic camp have been strongly influenced by Hassidic views. Besides R. Dessler, R. Yitshak Hutner (although of a somewhat Hassidic orientation himself, he lived and taught in a largely non-Hassidic environment) and his students have been highly influential in promoting Hassidic, and therefore Lurianic conceptions of Divine involvement in creation, whether in terms of its ongoing nature or with regard to God's continual involvement in human affairs.⁴⁵

Both minimalist and maximalist conceptions of hashgacha pratit (and everything in between) command strong support in the writings of different Gedolei Yisrael throughout the generations. However, in an era where much of the literature on the subject takes the 'maximalist' conception for granted, it is important to appreciate that the more 'rationalistic' approach enjoyed widespread support amongst the Rishonim, and has had numerous distinguished contemporary supporters.⁴⁶ Those of us who are attracted by R. Soloveichik's (and others') positive orientation towards worldly endeavour which is conceptually intertwined with their approach to hashgacha, can be confident in our view. One of the Rambam's arguments in favour of his view was that the natural order is observed to behave in a fixed and stable manner.⁴⁷ In the light of recent scientific discoveries the approach that asserts the regular operation of natural laws has become yet more powerful.⁴⁸

Although, of course, those authorities who promulgated a maximalist view of hashgacha pratit were aware of the seeming universality of the natural order, it has been argued that our discovery of elegant physical laws that govern the universe implies that nature is not merely a jumble of hidden Divine interventions, which no human can fathom; rather there is a definite order in the world,

ordained by God. As R. Soloveichik would argue, this natural order is intended both as a statement of God's wisdom in His design of the universe, and as a message that this order should be used, even conquered, in His service.

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1. E.g. Wisdom of Solomon 14:3, 17:2
2. The Ralbag (Gersonides) was one of the few exceptions in this regard. According to the *Stamford Encyclopaedia of Philosophy*, 'Gersonides does not follow the majority opinion on this issue: rather than claim that God does know particulars and that this knowledge somehow does not affect human freedom, Gersonides argues that God knows particulars only in a certain sense. In an apparent attempt to mediate between the view of Aristotle, who said that God does not know particulars, and that of Maimonides, who said that he does, Gersonides holds that God knows particulars only insofar as they are ordered. That is, God knows that certain states of affairs are particular, but he does not know in what their particularity consists. God knows individual persons, for example, only through knowing the species humanity.'
3. cf. Jewish Encyclopaedia, 'Divine Providence'
4. Ibid. Sub-section, 'Talmudic Views'
5. Ariel, R. Shmuel, 'Ha'im kol eiru'a mekhuvan min hashamyim?'. *Tsohar Journal*, 2006
6. Ibid.
7. Rambam (Maimonides), *Moreh Nevukhim* (Guide for the Perplexed), Section 3 Chapter 18, trans. Friedlander, London 1904
8. Ibid. Chapter 17
9. Schwartz, Dov, "The debate over the Maimonidean Theory of Providence in 13th century Jewish Philosophy", *Jewish Studies Quarterly*, vol 2, 1995, 185-196
10. This emphasis on the natural order as opposed to the miraculous was not unique to the Rambam, and can be found throughout the writings of other 'rationalist' Rishonim. As the Ralbag writes, 'When God wishes to perform miracles, He does so through means that are closest to natural laws.... This is because the natural order of existence was set by God in the most perfect way possible, and when Providence, requires a change from this order, it is appropriate that God should

- depart from the natural order as little as possible. Therefore God does only performs these miracles in ways that divert very little from nature.' (Commentary to Genesis, 6-9, *Hato'et Hashevi'i*)
11. Indeed, even the Rashbats, a descendant of the Ramban, who, as we shall see, was somewhat more inclined towards the miraculous, in his classic commentary on Pirkei Avot, *Magen Avot* (5:9), when quoting the Rambam's approach to miracles only disagrees on whether open miracles were 'programmed' into nature during Creation or can happen outside of nature. He does not, however, disagree that generally the world operates within natural laws, and still implies that the 'miraculous' is the exception rather than the rule.
 12. Rambam, Mishneh Torah, *Hilkhot Yesodei Hatorah* (2:2): 'And what is the way to love Him? When one contemplates His deeds and His great and wondrous creatures, and one sees from these the wisdom of God — that it is immeasurable and unbounded — immediately (miyad), he loves and praises and glorifies and has a huge desire to know Hashem Hagadol, "the great name".'
 13. R. Shlomo ben Aderet, *Teshuvot Harashba*, 1:413; Tosafot, Bava Batra, 146b, 'Hakol...'; R. Yehuda Halevi, Sefer Hakuzari, 5:20; Sefer Hahinukh, Mitsvot 188 and 546
 14. Sternbuch, R. Moshe, *Relationship of science to Torah*, <http://www.aishdas.org/avodah/faxes/sternbuchScienceToTorah.pdf>, 2005
 15. Ramban, Commentary to Shemot, 13:16
 16. Sternbuch, R. Moshe, *Relationship of science to Torah*
 17. Berger, R. Dr. David, "Miracles and the Natural Order in Nahmanides" (in *Rabbi Moses Nahmanides: Explorations in His Religious and Literary Virtuosity*, R. Isadore Twersky ed.)
 18. Ramban, Commentary on Devarim 11:13
 19. Ramban, Commentary to Iyov, 36:7
 20. R. Bachya Ibn Pakuda, *Hovot Halevavot*, 4:3
 21. Ibid.
 22. Dessler, R. Eliyahu Eliezer, *Michtav me'Eliyahu*, vol. 1. 194– 5
 23. Schneerson, R. Menachem Mendel, *Likkutei Sihot*, Vol. VIII, 277ff
 24. Schneerson, R. Menachem Mendel, *ibid.*
 25. Sefer Hahinukh, Mitsva 169
 26. Lamm, R. Dr. Norman, *Religious Thought of Hasidism: Text and Commentary* (Sources and Studies in Kabbala, Hasidism, and Jewish Thought, vol 4), 1999, 54
 27. Ariel, R. Shmuel, *Tsohar Journal*, *ibid.*
 28. Irgas, R. Yosef, *Shomer Emunim*
 29. Lamm, *ibid.*
 30. Schneerson, R. Menachem Mendel, *ibid.* For some examples of the 'non-maximalist' conception: e.g. Rabbi Nachman of Bratzlav, Likkutei Moharan, Chapter 250, R. Menachem Mendel of Vitebsk – Pri Haarets (Mikets)
 31. *Ibid.*
 32. Ariel, R. Shmuel, *Tsohar Journal*, *ibid.*
 33. R. Hayim of Volozhyn, *Nefesh Hahayim*, 4:18
 34. Dessler, R. Eliyahu Eliezer, *Mikhtav Me'Eliyahu*, 1:195; Bergman, R. Asher, Lulei Toratkha, 14. This work cites an interesting story with the author's grandfather, Rabbi Eliezer Shach, the doyen of the previous generation of Lithuanian rashei yeshiva. The story is recorded as follows: 'Once R' Maier Heisler brought up the view shared by many Rishonim that there is no hashgocha protis on animals but only a general providence to preserve the species. R. Shach responded, "it is definitely not so. Klal Yisrael did not accept this view." It seems likely that the influence of the Ba'al Shem Tov's teachings played a part even in the thinking of R. Shach, the Mitnaged par excellence, and his conception of what has been 'accepted by Klal Yisrael.'
 35. cf. Friedlander, R. Hayim, *Siftey Hayim*, Volume 1. For a Mitnagdic version of the maximalist conception of hashgacha pratit, see Kagan, R. Yisrael Meir Hakohen, *Shem Olam*, 1:3.
 36. Friedlander, R. Hayim, *Siftey Hayim*, Emuna u-Vitahon, vol. 1 p. 96 ff. One of the Talmudic statements that R. Friedlander uses to buttress his case is found in Hullin 7b: R. Hanina said: No one bruises his finger below unless it was so decreed against him above, as it says 'The steps of a man are ordered by God' (Tehillim 27:23) and 'How then can a man understand his own way?' (Mishlei 20:24). R. Elazar said: The blood of a bruise atones like the blood of an ola sacrifice. Rava said: [Only the] right thumb and the second bruising, and only if it happened to someone who is on his way to do a mitsva. This passage implies that there is universal Providence, and seems to go as far as saying that whenever somebody so much as bruises their finger, this can be attributed to Divine intervention. The standard way of understanding Rava's saying is that he is modifying R. Elazar's statement. The only time that a bruise atones like an ola is under all of those qualifications. However, R. Dr. Yaakov Elman offers another possible explanation ('The Contribution of Rabbinic Thought to a Theology of Misfortune' in Shalom Carmy ed., *Jewish Per-*

spectives on the Experience of Suffering, 186-187). He suggests that Rava is modifying R. Hanina's statement. The only time that bruising one's finger must be decreed from above is when it is the right thumb, a second bruising, and when one is one the way to do a mitzva. Otherwise, says Rava, there is no indication that it is an act of Divine Providence. If this is the case, then the passage only indicates that Providence is manifest in very particular circumstances, which would accord with the limited view of hashgacha advanced by the Rishonim.

For an explanation of other Talmudic passages that seemingly espouse a universal conception of providence, see Ariel, R Shmuel. *Tzohar Journal*,

37. R. Meir Simha of Dvinsk, *Meshekh Hokhmah*, Commentary to Shemot 13:19
38. Soloveichik, R. Joseph B., *Halachic Man*, pp. 128
39. Shatz, R. Dr. David, 'Practical Endeavour and the Torah u'Madda debate', *Torah u'Madda Journal*, 1992
40. Soloveichik, Rabbi Joseph B, *The Lonely Man of Faith*, Chapter 1.
41. Dessler, R. Eliyahu Eliezer, *Mikhtav Me'Eliyahu*, 1:195.
42. Karelitz, R. Avraham Yeshaya, *Emuna u'Vitaahon*
43. Grossman, R. Nossan, 'Cellular Terrorism', *De'iah veDibur*, May 2001
44. Dessler, R. Eliyahu Eliezer, *Michtav Me'elياهو*, vol. 2 236-310 and vol. 3 143-70
45. Hutner, R. Yitshak, *Pahad Yitshak*
46. *Darkhei Emuna ve'Hashgacha*, Bnei Brak, 1992
47. Rambam (Maimonides), *Moreh Nevukhim* (Guide for the Perplexed), Section 2 Chapter 25, Friedlander translation, 1904.
48. It is important to realise, however, that a total acceptance of the 'minimalist' conception of hashgacha pratit would have far reaching implications. As opposed to everything being 'bashert' or 'Divinely ordained', as many have been taught, this perspective would have us believe that many things, both for the good and for the bad, may happen to us for no particular reason.

Maharat: A new role for women?

RACHEL STAFLER

An orthodox woman has taken on the mantle of spiritual leadership at a popular synagogue in New York. How did she get here and what are her next steps?

Sara Hurwitz has spent most of her adult life learning Torah and acting as a leader in the Jewish community. If she were a man her career path would have been an easy one to follow. She would have become a rabbi and found a job as the leader of a synagogue. However, Hurwitz's options were limited by the Orthodoxy to which she adheres. Without defying the community and values she treasures, Hurwitz created a new role for herself, combining her high-level Torah learning and a desire to connect with her community.

After six years of intense study under Rabbi Avi Weiss of the Hebrew Institute of Riverdale (HIR) and Yeshivat Chovevei Torah, Hurwitz sat for the traditional rabbinical exams. During her studies, she served as a congregational intern at HIR, and prior to that graduated from Drisha Institute for Jewish Education's three-year Scholars Circle Program, received a B.A. from Barnard College, Columbia University, and studied at Midreshet Lindenbaum in Israel.

The culmination of her studies took place in March 2009, when Rabbi Weiss conferred upon her his chosen and unique title of Maharat – an acronym for Madrikha Hilkhaitit Ruhanit veToranit.

Halakhic precedent

Rabbi Yoel Bin Nun, formerly Rosh Hayeshiva, Yeshivat Hakibbutz Hadati, issued a supportive responsum on the matter, in which he argued that female religious leaders in Judaism are nothing new.

'Beginning with Sarah Imeynu, about whom our Rabbis have stated that her level of prophecy exceeded that of Abraham (Rashi Bereshit 21:12), through matriarchs and prophetesses, such as Miriam, Devorah and Hannah, who established song and prayer in Israel, the wife of Manoah and the Shunamite woman, who were closer to the knowledge of God and to prophecy – more than their husbands, as the Tanakh specifically testifies (Judges 13:8-11, and especially 22-23; Melakhim II 4:8-10; and especially 22-23);

'Through Queen Shlomtsion, who was more worthy of the Hasmonean throne than her husband (Kiddushin 66a; Sotah 22b), and was closer to the Sages of Israel than any of the Hasmonean Kings – Chazal of her time were not concerned about the Sifre's midrash halakha (on Devarim 17:15 – 'Melekh velo Malka'), which the Rambam brought down as law (Hilkhos Melakhim 1:5);

'And through learned women, disseminators of Torah and poskot – halakhic rulers – in Israel, such as Marat Beila, wife of the Sma (who was referred to by her son in his introduction to his father's commentary on the Tur, the Drisha), with whom the greatest of the acharonim discussed one of the two halakhot which she introduced (השירה), that when lighting Yom Tov candles, one must recite the blessing before lighting the candles (over le'assiyata), as in most of the blessings over

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R Avi Weiss

commandments (birkot hamitsva), since using fire (הרעה) is permissible on Yom Tov (the Magen Avraham and the Dagul Mirevava disagreed with her, so as not to have separate customs for Shabbat and Yom Tov, but the Hatam Sofer ruled like her, and this seems to be the ruling in the Mishna Berura (see all in Orah Hayyim 263:5).¹

Rabbi Bin Nun goes on to cite other examples of women who have taught and learned Torah extensively. Rabbi Bin Nun's responsum is one of three written in response to Rabbi Weiss's question of whether a woman can answer halakhic questions. The other responsa, written by Rabbi Daniel Sperber, President of the Institute for Advanced Torah Studies at Bar Ilan University and Rabbi Joseph Maroof of the Magen David Sephardic Congregation in Rockville, Maryland, largely support women's spiritual leadership and go in detail describing the historical precedent for halakhic rulings by women, from Devora Hanavia to the Sefer Hahinukh.

Rabbi Sperber examined the case of Devorah the prophetess:

'...In an additional answer offered by the Tosafot (ibid.), it is stated: "Or, she [Devorah] did not herself give judgement, but taught [the judges] the laws, for the Yerushalmi declares women ineligible to judge. From this answer we learn that a woman may give halakhic rulings, for that is the real meaning of teaching halakha to others.

According to both of the above replies, the upshot of the passage in the Bavli is that a woman may give halakhic rulings. And this, indeed, is how one may understand a

statement in Sefer Hahinukh (158), who wrote concerning the prohibitions of one who is drunk against giving judgement: [This prohibition] prevents giving judgement in any place and at all times on the part of males and of a wise woman who is suited to give ruling. That is to say "a wise woman who is suited to give rulings may not do so if she is drunk but may do so if she is not..."²

In each responsum, the rabbis say that it is halakhically possible for women to give halakhic rulings. Indeed, Rabbi Sperber is of the opinion that it is a necessary development for today's world.

'I strongly feel that it is high time we assert the rightful status for women in positions of community leadership, both organizational, spiritual and halakhic and actively encourage such initiative.'³

This need for a more formalized leadership role for women in the Orthodox community has also been recognised by Rabbi Michael Broyde, a member of the Bet Din of North America, a law professor at Emory University and the founding rabbi of Young Israel of Atlanta.

Rabbi Broyde argues that female religious leaders are already active in today's Jewish community and that they should be given the proper training to enable them to do their jobs well. In addition, he states that women leaders should at least be entitled to the parsonage benefits offered under the US tax code.

'We all see and sense that there are aspects of the clergy role in which women do better than men, and our community would be deficient if we did not, in fact, have women already serving in quasi-clerical roles. What the community needs is a training process - analogous to the one we have for men - to ensure that women are properly trained in halakha, theology, and pastoral matters and practice in order to best serve our community.

'Some will insist that whatever role women clergy play, they may not answer questions of Jewish law. This does not, however, seem to be mandated by halacha. As the Chinuck (mitzvah 152) noted many centuries ago, as a matter of Jewish law there is no issue with a woman answering questions of halacha if she is qualified to do so. Women involved in kiruv regularly answer questions of halacha and hashkafa. Should we not want to see to it that women in this field have adequate training to handle the issues that frequently present themselves?

‘So, yes, certifying people - men and women - as well-trained Orthodox clergy is a good idea, and certainly better than the status quo, which allows essentially untrained women to function in pastoral roles.

‘In the end, our community can only grow and flourish with well-trained clergy - both men and women - teaching, preaching and counselling God’s Torah.’⁴

An example for others

For Maharat Hurwitz, the need for formalised women’s spiritual leadership was obvious, and it was at the encouragement of Rabbi Weiss that she went on to study formally and apprentice as a spiritual leader.

‘After I graduated from Drisha, I knew that I wanted to be involved with communal work and went on to work at HIR as a congregational intern.’ she says. ‘After a year, Rabbi Weiss and I spoke and came to the conclusion that I needed a certain amount of learning to be taken seriously. Six years later, I completed my studies and took the exams. We had always talked about what would happen after I completed the exams, and I thought it was important to have a ceremony for other women to see that this is an option. I wanted to let other women know that there is hope to pursue this.’⁵

Since the conferral, Hurwitz has found that more and more, members of her congregation are approaching her with halakhic questions, or to discuss personal issues, and they rely on her to be involved in their life cycle events such as funerals and births.

For Maharat Hurwitz, the need for formalised women’s spiritual leadership was obvious, and it was at the encouragement of Rabbi Weiss that she went on to study formally and apprentice as a spiritual leader.

Hurwitz also plays a large role in planning programs for the synagogue and giving bat mitzva lessons.

‘Women are more comfortable with coming to another woman with questions about sex, nidda or marital concerns,’ she says. ‘It’s also tremendously helpful to have a woman’s presence on the women’s side of the mehitsa so that women feel that they are interacting during the service, instead of just watching. My position means that I can stand next to the mother of a bar mitzva boy or a kallah and celebrate with them while their son or future spouse is on the bima.’

Breaking of boundaries?

In his responsum, Rabbi Bin Nun addressed the concerns of those in the community who were concerned that female spiritual leaders are the beginning of a slippery slope away from halakha.

‘Regarding the issue which concerns many people – the breaking of boundaries, and an erosion in the direction of Reform and Feminism – a concern that exists for men no less than for women. The Reform movements were founded and led by men many generations before the issue of women came up on the agenda.

‘Anyone who is familiar with the teachings of Hazal knows that the women of Israel did not sin at the Golden Calf nor at the sin of the spies (Bamidbar Rabba 21:20), and that the redemption of Israel from Egypt was in the merit of the assembling women (nashim hatsovet; Rashi Shemot 38:8), for the men were terrified of Pharaoh’s decree much more than the women, as Miriam, Aharon’s sister, said to her father Amram, “Your decree is worse than that of Pharaoh” (Shemot Rabba 1:16-17).

‘What right do men, who were punished for their forefathers’ impure behaviour have to accuse the women of Israel of breaking boundaries? Better they should create boundaries within themselves, and not seek examples of sinful women – there are sinful men a plenty.’⁶

In the Orthodox world, there has not been an overwhelmingly positive reaction to Hurwitz’s new role, from either the right or the left.

For those on the left, the title in itself is controversial. ‘Why not rabbi?’ many have asked, ‘when her learning is equal to that of a rabbi and she performs many of the same tasks as a rabbi?’

According to the New York Jewish Week, Blu Greenberg,

a founder of the Jewish Orthodox Feminist Alliance, praised Rabbi Weiss as a pioneer on behalf of Jewish feminism at the conferral ceremony. Editor and publisher Gary Rosenblatt has written: ‘When she said she would be “less than candid” if she did not note that “many of us are disappointed” that Maharat Hurwitz “was not called ‘rabbi’”, the crowd broke into applause.’⁷

There is also an active debate amongst Modern Orthodox bloggers as to what women spiritual leaders should be called. But Maharat Hurwitz herself seems not overly concerned with titles. ‘I prefer to focus on the role I have to play,’ she says.

From more traditional circles, a recent article in the Haredi newspaper *Yated Neeman*, called the responsa in support of women’s leadership ‘lightweight stuff, and any serious talmid hokhom that has spent a few years really learning can easily see through the superficial scholarship and lack of elementary conformance with the rigorous analysis of the full body of halakhic sources on the topic.’

The real test will not be in the initial reactions to Maharat Hurwitz’s new role but in whether the wider Jewish community will accept female religious leadership.

Yet the real test will not be in the initial reactions to Maharat Hurwitz’s new role but in whether the wider Jewish community will accept female religious leadership. In Israel the women’s feminist organisation, Kolech, gathered in this past summer to discuss an appropriate title for women religious leaders and decided on ‘Rabba.’

In September, Maharat Hurwitz and Rabbi Weiss plan to open a programme to train women as spiritual leaders. The four-year programme, based in New York, will focus on the study of halakha and the development of practical pastoral skills.

Just as importantly, according to Hurwitz, it will advocate for women to be placed in positions of religious leadership in synagogues, schools and on university campuses.

‘This programme offers an opportunity for women to pursue a career in rabbinics,’ says Maharat Hurwitz.

‘Rabbinics is a calling; it is something you do because it’s who you are. And now women will be able to live up to that, and fulfill that inner calling.’

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1. www.hir.org/forms_2008/Complete_Sara_Hurwitz.pdf
2. Ibid.
3. Introduction to Rabbi Sperber’s responsum
4. *Jewish Press* July 22, 2009
5. All quotations from Sara Hurwitz are taken from an interview I conducted with her in August 2009.
6. www.hir.org/forms_2008/Complete_Sara_Hurwitz.pdf
7. *The Jewish Week*, June 24, 2009

Letters to the Editor

Sir,

I read the first two editions of *Degel* with great interest. Perhaps I could share some thoughts they provoked. I felt that Yudit Samad's article on the definition of death in halakha in the first issue drew a somewhat inconclusive 'conclusion'. Given that murder is forbidden to all of humanity, and that I am under an obligation to forfeit my own life rather than commit an act of murder, I feel that we need to be clearer about what is and is not death. Medical technology is leaving our traditional ways of halakhic decision making on this point, based on respiratory and cardiac functions, very much behind.

I would suggest another approach. Do our sources have examples of anyone in a state of being amounting to that of a man on a life support machine, and if so, what did we do with him? I know of one example: Rav Elazar the son of Rav Shimon bar Yohai (Bava Metsia 84b).

According to the text, he was kept in a state of suspended animation in an upper room for approximately nineteen years. His blood appeared to be circulating, and if the voice from the upper room was his, then he was still breathing. However, nobody seemed to have any qualms about burying him. I think that if we took the time to study this text and the commentaries thereon, we may be able to formulate from these some guidance on the halakhic ramifications for our approach to people in vegetative states.

We will make progress only if we stop considering ourselves under threat.

In *God, Science and Skyhooks*, Daniel Elton writes, 'Islamic Fundamentalism uniqueness is that it offers nothing to negotiate with or about... compromise is in practice impossible with the advocates of a medieval theocratic political system stretching from Spain to Indonesia. There can be no mixture of the stick and the carrot that ended the Troubles in Northern Ireland, or Apartheid, or even the Cold War. The opposition does not want carrots. It wants to rip up the carrot farm and stop anyone from growing carrots ever again.'

If I were an Arab, I would answer as follows: 'Despite the prejudiced view put forward by the Western media, my civilisation was responsible for the production of some very important scientific and cultural achievements, without which life would be much more difficult. Mathematics, for instance, would be next to impossible without the Arabic number system. At the moment, some of us feel that our way of life is under threat from the all-conquering hegemony of the United States and its allies, who wish to export to us the morals of the reality TV show, and who will do literally anything for oil, including giving support to various rich and corrupt dictators who were, and are now, governing us in a manner that is neither Islamic nor democratic. People who consider themselves under threat will take extreme positions: that is the human condition.'

We will make progress only if we stop considering ourselves under threat. We believe that God made only one kind of humanity, and did so in his own image. With a very few exceptions, we all want the same thing: the freedom to go about our business without fear of violence, an education for our children, a life of sufficient stability that we can plan for the future, and so forth.

If we work to place these essentials within the reach of all men and women far fewer people will be tempted to fundamentalism. Make it generally known and understood that the man on the other side of the fence is basically the same as you, and hatred will dry up very quickly.

I would like to take up two points made by Bobby Hill in the second issue. First he writes, ‘Today all Torah Jews are Zionists, with a small or large Z’. I hope I am a Torah Jew, but I am certainly not a Zionist. To the contrary: I consider that our Scriptures from Bereshit to Divrei Hayamim teach us that the exile which we are presently enduring was Divinely decreed, and that only God can call it to a halt. There is no mandate from God for the Zionist movement. I would challenge Mr. Hill to present me with his evidence to the contrary.

Of course, this leaves me with a dilemma. Every dvar Torah spoken in Israel, every book printed, product manufactured, and foodstuff grown there needs State water, State electricity, State roads, and State airlines to get to me. What should I do? Well, my own existence is no less of a dilemma than that of the State of Israel, given that the Rabbis decided, by majority vote, that it were better if man had not been created (Eruvin 13b). However, since we have been created, we must examine our deeds. Therefore, although I feel that it would have been better if the State of Israel had not been created, I have to examine its deeds.

If I went to live in Israel, I would support the creation of a Constitution, which would ensure that religious freedom is preserved, and would therefore ban religious political parties, which for me have no place in a democracy. We should have proper, grown-up rules on who can be an Israeli citizen, to replace the Law of Return. We should ensure that all those who seek political office are committed to governing for the benefit of the population as a whole. Israel should work with its neighbours to form a Middle Eastern Union (MEU), like the European Union (EU), to include free movement of labour and some kind of workable system to get the revenues from oil to the whole population of the region, and to plan for a future when the oil has run out.

We should bear in mind that during the two World Wars the people of so called ‘civilised’ Europe were killing each other with savage ferocity that makes the activities of Hezbollah, Hamas and Al Qaeda today look like very small beer. Now we have the EU, we cannot imagine such a thing happening again. The only European wars I have seen

involved non EU members. The MEU will bring peace in the same way that the EU has done, namely by combining the economies of nations together such that they will suffer financially by going to war.

The other matter raised by Mr. Hill is that of leadership. The very first chapter of any book on motivation will tell you that if you do not expect to achieve anything, you will not achieve anything. If we do not think that we can produce outstanding people today, we shall not. It will be a self-fulfilling prophecy. But if we are prepared to believe that such individuals exist and will come to the fore given the opportunity, they will do so.

I find the concept of the decline of the generations deeply demotivating. I believe it is emphasised so much because communal leaders are frightened of being challenged, and scared of the emergence of new ideas. Once again, God only makes one kind of humanity. There is no reason to suppose that the people being born today are any better or worse than those born yesterday, last week, or three thousand years ago. Whatever disadvantages we may suffer from upbringing, environment or education, God supplies the means to overcome.

— SIMCHA HANDLEY

Sir,

I read with interest Daniel Elton's article *God, Science and Skyhooks* in the first issue of *Degel*. He suggests that 'the apparent difference between science and religion is a mirage' and also opines that 'to assert that scientific theories tell us how the real world works is bizarre'.

I might call scientific theories strange and unexpected, but not 'bizarre' and, to explain the 'apparent mirage', I would like to propose an alternative approach for reconciling the truths of science and religion, an approach that I call 'the non-singularity of truth'.

An old Rabbinic idea looks at the first three words of the Torah and, in particular, their last letters. They are א followed by נ and then by ו. And, when re-arranged, spell the word אמת — the Hebrew word for truth. See, say those Rabbis of old, truth is fundamental to creation and to God's Torah.¹

We have many examples of divergent concepts of Truth.

This formulation may be considered unsatisfactory because the letters are jumbled up. Truth is not immediately discernible. Maybe it is not supposed to be — and to find it you have to unscramble Torah a bit. Maybe, though, the letters are to be read straightforwardly together with the next two terminal letters א and ו to provide, straightforwardly, אמנו 'from the simple' or 'from the finish' — which leads to further obscurity. Or, maybe, there is no significance whatsoever in these particular terminal letters and we must look elsewhere for signs of truth.²

Our whole upbringing and education teaches, as one of life's certainties, that truth is a unity and has only one form. The idea that different individuals or groups can each have their own truth — and that each truth can be valid — is in general considered an impossible tenet and one which leads only to strife.³ However we have many examples of divergent concepts of Truth. 'Torat Emet', the Torah is true, is an axiom of the religious Jewish outlook. Nevertheless there is a multitude of issues that are debated in Talmud, with each proponent certain his view is correct and certain it represents the true path to be taken consistent with the truth of Torah. Each argument is considered a makhloket leshem shamayim, a dispute for the sake of Heaven, and though the winning view is that which is accepted by the majority, no one diminishes the status of the proponent of the losing, minority view. His view, too, is considered a legitimate understanding of the true path.

Two truths

The above start-point was to look at the opening words of the Creation story in Bereshit. Some commentators, such as Rambam, Ramban, and Malbim, both before and after Darwin, considered the Bible story of creation to be allegorical and in no way a scientifically historical explanation of the events recounted. That is why Darwin's publication of *On The Origin of Species* and, 20 years later, *The Descent of Man*, seem to have caused very little outrage in the Jewish world of the time.⁴ Perhaps the acceptance of the possible allegorical and non-literal exposition of the Torah account remained extant and continued the long tradition of the Dorshei Reshumot and the Dorshei Hamurot both of whom interpreted Scripture figuratively.⁵

Today, however, many Jewish and non-Jewish teachers and preachers of religion consider the Biblical story a literal account of creation and hence true and indisputable. They thus cannot conceive of the possibility that another truth, a scientific truth, may co-exist with their religious truth. To them, the concept of dual truths is not tenable.

Hence the outrage at the initial publication of *The Dignity of Difference* by the Chief Rabbi, Dr Jonathan Sacks.⁶ Those teachers and preachers of the literal account will doubtless be appalled to learn there is now no serious dispute in the scientific community that the mechanisms of animal development expounded by Darwin and successive scientific enquirers are true. Likewise, and the word is chosen deliberately, there is no serious dispute among those of a religious persuasion that God was/is responsible for creation. That too is true. Darwinism, being concerned solely with a scientific explanation of how animals came to be as they are, is concerned not at all with the presence or absence of God. Religion, when accepting that the Biblical account of creation is allegorical and not a mechanistic exposition of the 'how', is not at all concerned with science. Both explanations can co-exist and each may be considered true: one, the truth of religion, its beliefs, and its moral, ethical and spiritual guidance codes; the other, the truth of science and its explanatory function of the world in which we live.

Duality in science

We have already alluded above to the duality of truth in the debates recorded in the Talmud. This duality is likewise mirrored within many aspects of the scientific world itself. The well-known Heisenberg Uncertainty Principle (postulated in 1927) proves conclusively the impossibility of determining simultaneously both the velocity and the position of a fast-moving particle. The particle at any instant certainly possesses both a velocity and a position, but it is now well established science that they cannot be both determined at the same time. Trying to measure one disturbs the value of the other.⁷ Both exist and each is 'true' but both 'truths' are necessary in order to obtain the total picture and the Principle indicates disconcertingly that that total picture, i.e. the whole truth, just cannot be ascertained.

Another example of the duality of truth comes from the Chaos Theory – the branch of science that tries to explain mathematically apparently haphazard events. Consider,

for example, a tumbling river with a highly turbulent flow. If I drop into this turbulent flow, at exactly the same place and time, two identical small pieces of cork, they will NOT finish up at the same end point. Though dropped in at exactly the same time and place, they will instead finish up after unit time at two disparate points. The maths shows that each of these potential points can be predicted precisely. They are not random locations. Any one piece of cork will definitely finish up here — or there — and nowhere else. Each end point is specific and knowable. However it is impossible to predict which one point it will be. In other words the end position is not haphazard or random even though the flow appears so. It is always a predictable point but my knowledge of that location must remain indefinite. Not imprecise, just indefinite.⁸

On a personal level, this science has had positive religious reinforcement since, if the turbulent flow were truly random and haphazard, the expected locations would all be unpredictable and, without a creative guiding force, would be outside of God's influence. So, instead of God's world having a random motion entirely of its own volition, that same world has a provable uncertainty embedded within it which I am provably unable to determine definitively. It remains Divinely true, but I cannot divine that truth.⁹

Explanations can co-exist and each may be considered true: one, the truth of religion, its beliefs, and its moral, ethical and spiritual guidance codes; the other, the truth of science and its explanatory function of the world in which we live.

Yet another scientific dual-view of truth derives from explanations of how light and other electromagnetic radiations are transmitted.¹⁰ The idea that light consists of small particles travelling at a finite speed in undeviating straight lines was first mooted in 1021.¹¹ Much later, in 1637, René Descartes proposed a wave theory which explained very satisfactorily certain phenomena that were at the time inexplicable by a particle theory.¹² However such a wave theory could not explain why light had apparent weight and was bent by a gravitational pull as

it passed a large body, e.g. light from a star being bent by the gravitational pull of a planet near to which it passed.¹³ Such concepts were derived from a corpuscular theory of light (as promulgated by Newton in 1704), i.e. that light was a continual flow of discrete particles at a finite speed.¹⁴ Unfortunately, to this day, scientists accepting wholeheartedly the corpuscular theory — from which modern-day quantum mechanics derives — have difficulty using it to explain certain phenomena that can only be explained satisfactorily by the old-fashioned wave theory of light.¹⁵ Those scientists trying to explain other light phenomena by wave theory find it an impossible task. This scientific ambivalence is known as the ‘wave-particle duality’. It may therefore be suggested that by explaining ‘truth’ in different ways both theories are true and conceptually provide a duality of ‘truth’.

Finally, in the scientific domain, even the idea that the speed of light c is an absolute constant has been questioned in quantum electrodynamics theory.¹⁶ Although this theory explains in a unified way many mutually excluding aspects of light as waves and light as quanta, it can contentiously suggest that light can go slower or faster than c but will travel at a velocity that is c on average.¹⁷

God created the world, but He has created uncertainty within it.

Thus even the calculating world of Physics contains concepts which accept the impossibility of knowing everything with exactitude. The physicist does the best he is able in order to find the truth that is, and is present in, the world but he accepts that, in absolute terms, it may often be impossible to know that truth with absolute certainty.

Duality in Torah

In religious terms, God created the world, but He has created uncertainty within it. Man can never be certain he possesses the totality of truth. That is mirrored by man having both the physical, *גשמי*, and the spiritual, *רוחני*, and is always a synthesis of the two. This dualism is endemic to the world that from the beginning, *per* Genesis, was created with both light and darkness, both night and day, both the seas and the dry land. It always has a past and a future.¹⁸ It contains both good and evil, and our tradition teaches that there exists both this world and

the World to Come. The Ten Commandments were given on two tablets of stone, though a single tablet could have contained exactly the same text. And in the allegorical song that ends the Seder service, the kid bought by my Father could have cost a single coin and need not have cost the specific ‘two zuzim’.

Leopold Zunz discerned two distinct approaches to Aggadic literature in the Middle Ages.¹⁹ The first was the philosophical-allegorical approach towards which, he opines, the majority of Sephardi scholars were inclined. The other was a more literal interpretation of Aggadic texts which, on the whole, was favoured by Ashkenazi Rabbinic authorities, albeit with discrimination.

On a broader scale, religious dualism was characterized by the Chief Rabbi, Dr Jonathan Sachs, in distinguishing between, on the one hand, Torah as God’s *words*, i.e. the truth we inherit which teaches us how the world ought to be, and, on the other hand, *hokhma* (wisdom) as God’s *works*, i.e. the truth we discover by reason, observation and experience and which teaches us how the world actually is.²⁰ There is no need to create a fiction of rapprochement between the two for they can each exist and, indeed, can co-exist with an interrelationship that is constantly changing both philosophically as well as practically. Many Babylonian Jewish sages were anxious about the pairing of items (*zugot*) because, in the view of R. Bahya and others, certain natural symmetries may give rise to the heretical notion that there are two divine powers.²¹ By joining items as one, an individual symbolically denies the heresy of such dualism and instead attests to the oneness of God.

However, such concerns about the dangers of *zugot* — which may well have been the result of syncretism with local non-Jewish Babylonian superstitions — are no longer the mainstream Jewish view.²² Moreover they can be readily avoided by adoption and fastness to the idea that each of the paired items was created by the one God, and that — apart from this oneness — no singular truth can be decisively considered absolute. The implication is that more than one true path can lead towards the absolute and singular truth, but no single path will arrive there. The phrase ‘*elu ve’elu divrei elokim hayim*’ has an inbuilt duality in the expression which is too often ignored because it is too difficult for us, in today’s world, conceptually to accept. That perhaps is the only singular ‘truth’ we can properly comprehend, namely that more than one truth exists in God’s world.

— EPHRY EDER

1. As stated by Rabbi Herman in a shiur, July 2009.
2. An alternative view might be to consider the final letters of the three words that conclude the account of Creation--bara Elokim la'asot ('God created to do' [Bereshit 2:3])—which spell emet. God created reality 'to do,' which as interpreted by the Sages means that it is incumbent upon us, God's creatures, to complete the 'doing' (i.e. rectification) of His Creation – from Basics in Kabbalah www.inner.org/power/powermet.htm.
3. 'Nothing there is, that breedeth so deadly hatred, as diversity of minds touching on religion' Bishop John Christofferson.
4. *On The Origin of Species* (1859) made no reference to man being descended from other animals. The *Descent of Man* (1871) did suggest Man descended from other animals but did not impute the absence of God from the works of creation.
5. Sifre on Ekev cited in *Sefer Ha'Agaddah, Emet VeSheker* and in *The Approach to Obscure Aggadot* by the late Rabbi Dr Sidney Leperer זצ"ל from: L'EYLA, 20 1985, pp. 52-55 available on <http://www.herzog.ac.il/vtc/0060597.html>
6. A group of rabbis, most notably Rabbi Bezalel Rakow, accused Rabbi Sacks of heresy in his book *The Dignity of Difference*, in which he intimated there may be truth in other religious traditions. The Chief Rabbi amended the text for the second edition (but did not recall the first).
7. For a more detailed explanation see, for example, http://en.wikipedia.org/wiki/Uncertainty_Principle
8. See *Chaos* by James Gleick (Place, 1987) - an excellent layman's introduction to the subject
9. cf. the Aggada concerning Pinhas ben Yair and the River – see Tosafot on Hulin 7a
10. The Genesis story of God saying 'Yehi Or' – 'let there be light' – is perhaps better translated 'let there be emanation' since the light by which we see was only created on Day 4.
11. Ibn al-Haytham (Alhacen) – source Wikipedia
12. Phenomena such as diffraction and interference fringes, e.g. the Moiré patterns when looking through a fine net curtain.
13. As in the proof of Einstein's Theory of Relativity
14. It was this concept that enabled Laplace to posit a body so massive that light could not escape from it and it would become what is now known as a 'black hole.' The energy of the particles is expressed by the well-known Einstein equation $E=mc^2$ where m is the rest mass of the particle (later found to be equal to the mass of an electron) and c is the speed of light in a vacuum.
15. Max Planck, in 1900, first suggested emission of light only as discrete bundles or packets of energy – later called quanta – and the individual particles were called photons. His work was furthered by Einstein in explaining the photoelectric effect in 1905.
16. One of the most accurate physical theories constructed thus far and having predictions according to experimental results to an accuracy of 1 part in a million million.
17. Richard P. Feynman, *QED*, 89-90
18. There is no present tense in Hebrew for the verb 'to be.'
19. Yom Tov Lipmann Zunz (10 August 1794 – 17 March 1886). Founder of what has been termed the 'Science of Judaism' (Wissenschaft des Judentums). HaDrashot Be'Yisrael (Ed. H. Albeck, Jer. 1947), 189 and cited in *The Approach to Obscure Aggadot* by the late Rabbi Dr Sidney Leperer זצ"ל - from: L'EYLA, 20 1985, 52-55 available on <http://www.herzog.ac.il/vtc/0060597.html>.
20. Covenant & Conversation, Yitro 5765
21. Sugya Zugot in Gemara Pesahim see particularly 109b (and Art Scroll Edition, Note #8)
22. Gemara Pesahim 110b Note #10 in ArtScroll Edition, and *The Approach to Obscure Aggadot* by the late Rabbi Dr Sidney Leperer זצ"ל from: L'EYLA, 20 1985 52-55 available on <http://www.herzog.ac.il/vtc/0060597.html>. (Rabbi Dr. Sidney Leperer was Jewish student chaplain at Oxford in 1969, then assistant to Dayan Dr. M. Lew זצ"ל in Hampstead Garden Suburb, later Rabbi in Woodside Park and subsequently in Brighton & Hove, and followed this by teaching at Carmel College and thereafter at Jews' College where he taught Talmud and history and became Assistant Director of the College. He was beloved by his students and well known for his immense erudition, matched only by his gentle kindness and humour.)



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